

**Third Session – Forty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne, Hon.	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey, Hon.	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek, Hon.	Interlake-Gimli	PC
JOHNSTON, Scott	Assiniboia	PC
KINEW, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Woleseley	NDP
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REYES, Jon	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron, Hon.	Springfield-Ritchot	PC
SMITH, Andrew	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 20, 2021

*The House met at 1:30 p.m.*

**Mr. Deputy Speaker (Doyle Piwniuk):** Please be seated. Good afternoon, everyone.

### ROUTINE PROCEEDINGS

#### INTRODUCTION OF BILLS

##### Bill 233—The Filipino Heritage Month Act

**Mr. Jon Reyes (Waverley):** I move, seconded by the honourable member for Notre Dame (Ms. Marcelino), that Bill 233, The Filipino Heritage Month Act; Loi sur le Mois du patrimoine philippin, be now read for the first time.

*Motion presented.*

**Mr. Reyes:** I am proud to introduce Bill 233, The Filipino Heritage Month Act. This bill will recognize the month of June as Filipino Heritage Month, which has been a traditional month of celebration because of Philippine Independence Day, celebrated on June 12th.

Manitoba's Filipino community has become an integral part of our province's social, economic, political and cultural fabric. The Filipino Heritage Month Act is our way of thanking them for their immense contributions to Manitoba.

Mabuhay at maraming salamat po sa inyong lahat.

#### *Translation*

*Long live and thank you all very much.*

#### *English*

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

Now, we'll go on to committee reports?

#### TABLING OF REPORTS

**Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs):** I am pleased to table the Manitoba Regulatory Accountability Report for 2018, 2019 and 2020.

### MINISTERIAL STATEMENTS

**Mr. Deputy Speaker:** The honourable Minister for Conservation and Climate—the 90 minutes notice prior to routine proceedings was provided in accordance with rule 26-2.

Would the honourable Minister of Climate and Conservation begin her statement.

#### Wildfire Update

**Hon. Sarah Guillemard (Minister of Conservation and Climate):** The Manitoba Conservation and Climate Wildfire Program, in co-operation with other provincial agencies, continue to battle a number of large wildfires across the province.

Currently, we have nine wildfires burning, including a 200,000-hectare fire north of Gypsumville along Highway 6.

Wildfire danger levels remain extremely high across central Manitoba. However, the recent rains in southern Manitoba have assisted in fire suppression efforts in those areas. The Province continues to focus on ensuring public safety and protecting property and critical infrastructure.

In the eastern and Interlake area of the province, there are three fires of main concern at this time: the Homebrook, Skownan and Caddy Lake. Our fire-wildfire crews are hard at work battling to extinguish these fires, and we are hopeful that some rain will soon arrive to help with efforts.

In the western area of the—Manitoba Wildfire Service is working with the Office of the Fire Commissioner and the local fire departments, and they have made good progress in this area and most of the fires are coming under control. And the coming rain in the few days will provide much-needed relief to reduce the risk of those fires.

Smoke from wildfires in the central and Interlake areas of Manitoba is impacting air quality in a number of First Nation and Northern Affairs communities in the region, prompting the need to evacuate those at greatest risk to health impacts from smoke.

These evacuations are progressing well, including in the North Cypress/Langford municipality, in the Misipawistik Cree Nation and other communities surrounding those areas.

Through the assistance of the Canadian Inter-agency Forest Fire Centre, 60 firefighters from Quebec and Ontario, as well as two water bombers from Quebec and two water bombers from Alberta have been brought in to assist our Manitoba crews.

Mr. Deputy Speaker, I would like to recognize the excellent co-operation that the Wildfire Service is receiving from other provincial agencies, including the conservation officer service, office of the fire commission, local fire departments and the Emergency Measures Organization during these very difficult times.

The safety of Manitobans in affected areas is our No. 1 priority, and I know that every member in this Chamber supports the efforts to keep people safe from wildfires. Wildfire safety is not a partisan issue, and it is incumbent on all of us to keep our constituents informed of risks and available resources. I was happy to provide every member of this House whose constituencies are impacted by wildfires an update, and I'll continue to keep the communication open.

Finally, I would like to thank all of the front-line firefighters and the staff for their efforts and dedication to keeping Manitobans safe.

Thank you.

**Ms. Lisa Naylor (Wolseley):** Just last week, we rose to speak on wildfire prevention, mitigation and preparedness planning, and ever since then, the wildlife situation has only gotten worse. Also, last week, I asked the minister for a wildfire briefing pertaining to trail closures, but she declined to meet with me. It's obvious this government does think this is a partisan issue, despite the comments just made by the minister.

A fire in the Interlake region has grown out of control, doubling in size in one day to cover over 144,000 acres and measuring 80 kilometres in length and 16 kilometres in width. This fire is so large that it prompted the closure of a part of Highway 6.

This fire and others have caused First Nations communities such as Lake St. Martin, Misipawistik Cree Nation, Little Saskatchewan, Pinaymootang, Skowman [*phonetic*] and Dauphin River to evacuate residents. At the same time, Misipawistik Cree Nation is dealing with a COVID outbreak, making this evacuation all the more difficult. I hope that the minister and her government will step up to help those First

Nations communities and others who are affected by wildfires during their time of need.

These fires also pose large threats to Bipole I and II. We've heard that Manitoba Wildfire Service capabilities may be limited for protecting Bipole I and II, and this is a major concern. Let's not forget this government refuses to reduce our carbon emissions, picks fights with the feds, privatized our fire prevention-suppression program and leased our water bombers to Babcock Canada. These moves weaken our ability to prevent and suppress wildfires and are the opposite of climate leadership.

I'll remind all Manitobans that, again, as I said last week, if we don't significantly reduce our carbon emissions, central and southern Manitoba will see a 40 per cent increase in area burned by 2050 and northern Manitoba will see a 78 per cent increase. This problem is not going away. These tragedies continue to show us climate change is real, and now hundreds of Manitobans are at severe risks. Manitobans need support from this government, not just protecting them today, but by seriously fighting climate change in the years to come.

**Mr. Dougald Lamont (St. Boniface):** Mr. Deputy Speaker, I ask for leave to speak in response to the minister's statement.

**Mr. Deputy Speaker:** Does the honourable member for St. Boniface have leave to reply to the ministerial statement? [*Agreed*]

**Mr. Lamont:** I'll start by extending our thanks to everyone who is fighting wildfires across Manitoba and all those who are supporting them. It is very dangerous work, and we express our gratitude as well as our wishes that everyone who goes out to fight a fire makes it home safe at the end of the day.

Wildfires have always been a dangerous part of our reality as a province, but that means we need to accept that living with risk means actively coping with it. Chronic conditions require permanent vigilance.

For years, we have called for emergency management plans for wildfires, yet the government has faltered in its preparations to prevent the spread of them. Manitobans are now being forced to leave their homes at the height of the COVID-19 pandemic in Manitoba, putting themselves at risk, wherever they live.

Last night, it was announced the community of Lake St. Martin is evacuating members of the community, along with neighbouring communities. Yes, it's a dry year, but there are measures that

communities can take to reduce fire risk and reduce spread if it is done in time.

As my colleague, the MLA for River Heights, noted recently, in communities like Sandilands, Woodridge and Carrot, where a major fire was burning out of control, residents like Ronnie Bugera had asked the government whether they could proceed with fire mitigation, but were turned down by the department.

The essence of emergency preparedness and safety means preparation, backups and fail-safes. It means having extra people and extra equipment, in case someone can't travel or something breaks down.

It means duplication and reinforcements, everything that this government has spent years cutting or failing to invest in. Emergencies may not be common, but they are inevitable. We need to be much better prepared.

Thank you.

**Mr. Deputy Speaker:** We have another ministerial statement from the honourable Minister of Sport, Culture and Heritage. The required 90 minutes notice prior to routine proceedings was provided in accordance with rule 26.2.

Would the honourable Minister of Sport, Culture and Heritage begin her statement.

\* (13:40)

### Vyshyvanka Day

**Hon. Cathy Cox (Minister of Sport, Culture and Heritage):** Mr. Deputy Speaker, I am especially honoured to recognize today as International Vyshyvanka Day, the time owed to all of our friends from our Ukrainian community who are joining us virtually to celebrate this important day in our history.

Today, Ukrainians all across our province and around the globe are wearing their vyshyvankas as a proud reminder of their rich heritage and vibrant culture. These beautiful vyshyvankas, adorned with our traditional Ukrainian embroidery, are more than just beautiful garments; they are steeped in Ukrainian tradition and have historic significance.

Mr. Deputy Speaker, archaeological research in Ukraine shows that the detailed embroidery depicted on our vyshyvankas dates back to prehistoric times. They have long been a symbol of strength and hope for a brighter future.

Canada has long shared a strong kinship with Ukraine and was the first Western country to recognize its declaration of independence in 1991. Thousands of Ukrainians, like my baba and gigi, came to our province in the 1800s and early 1900s seeking a hope and a dream for a better life.

These resilient and hard-working newcomers built so much of the Manitoba that we call home. They made sacrifices, worked hard and assured their heritage was deeply rooted in their communities.

Manitoba has many historic ties to Ukraine and its people, and our government is pleased to join with our Ukrainian community as they celebrate the 130th anniversary since the first arrival of Ukrainians in our province.

Our government recognizes the important contributions that Ukrainians have made in our province. We are proud to support Vyshyvanka Day, which raises awareness of the tremendous pride that Ukrainians have made in their community and culture.

I have such fond memories of past celebrations, and I look forward to the day when we can again gather on the grounds of our beautiful Manitoba Legislature to celebrate Vyshyvanka Day, but now is not that time.

Dyakuyu [*thank you*] to our Ukrainian community for helping to make Manitoba the vibrant, multi-cultural mosaic we all know and love and appreciate.

Thank you.

**Mr. Mark Wasyliv (Fort Garry):** Vyshyvanka Day is an opportunity for Ukrainian-Canadian communities and the numerous Ukrainian communities around the world to stand in solidarity with the people of Ukraine. Canada is one of 50 countries around the world in which Ukrainians take part in International Vyshyvanka Day.

The vyshyvanka is the traditional attire for Ukrainian celebrations, worn by people regardless of their gender, social status and religious beliefs. The traditional vyshyvanka is a piece of artistic cultural expression. Masterful hands embroider colourful patterns and designs specific to the regions of Ukraine into the traditional white frock.

With the clothing's increasing popularity in contemporary fashion across the world, a day has been dedicated to the vyshyvanka to acknowledge the Ukrainian heritage these garments represent and promote Ukrainian cultural awareness worldwide.

The artistry behind a traditional vyshyvanka was inspired by the power of protective symbols. Meanings behind the embroidered symbols and patterns range from circles that represent the sun and harmony, grape bunches that symbolize happiness and horses that symbolize aspiration.

Today is an opportunity for Ukrainians, as well as their descendants and supporters, to wear a vyshyvanka and show their Ukrainian pride. Ukrainians today unite to celebrate their identity, displaying their beautiful vyshyvanka designs, creating a sense of cultural pride and national solidarity.

This year, Manitobans can celebrate Vyshyvanka Day with Ukrainians from coast to coast. Tonight will be the largest Ukrainian Zoom event in Canada, starting at 7 p.m. here in Manitoba. Be sure to join, and if you're participating this year, don't forget to take a selfie and post it on your social media with the #VyshyvankaCanada2021 hashtag.

I encourage you all to use this day to learn more and immerse yourselves in Ukrainian history and cultural traditions.

Thank you, dyakuyu [*thank you*].

**Ms. Cindy Lamoureux (Tyndall Park):** I ask for leave to speak in response to the minister's statement.

**Mr. Deputy Speaker:** Does the honourable member for Tyndall Park have leave to reply to the ministerial statement? [*Agreed*]

The honourable member—yes, and the leave has been given.

**Ms. Lamoureux:** I'm happy to speak virtually here today, along with my colleagues, to celebrate Vyshyvanka Day.

This day is very important to Ukrainians as well as descendants from Ukraine and our larger community. It is important because we need to stand in solidarity with our Ukrainian community as they are forced to defend their independence.

I am very grateful for the strong presence of Ukrainian heritage here in Manitoba and all the contributions that our Ukrainian community has brought into virtually all areas of life, from agriculture to science to health care.

And when we think about these contributions, one of the main things that come to mind is our labour movement here in Manitoba. We know the only surviving labour hall associated with the 1919 General

Strike is the Ukrainian Labour Temple, and it continues to be a great source of pride and a gathering place for the community.

Mr. Deputy Speaker, we have a lot to celebrate and a lot to strive for, and I just want to wrap up by wishing everyone a happy Vyshyvanka Day.

Thank you.

## MEMBERS' STATEMENTS

### Selkirk Lift Bridge

**Mr. Alan Lagimodiere (Selkirk):** Today, I celebrate the birthday of a 'sistoric' landmark in our region. The Selkirk Lift Bridge was opened May 3rd, 1937.

Every city has its iconic structure which represents the community and the region. Vancouver has the Lions Gate Bridge, San Francisco the Golden Gate, London the Tower Bridge. And in Selkirk, Manitoba, we have the Lift Bridge. From photos to sketches and logos, our Lift Bridge is a visual and functional representation of our community. It stands strong on Highway 204 to bridge the communities of Selkirk and St. Clements.

The bridge idea was first brought forward by the RM of St. Clements in the early years of the depression to improve connectivity and support additional job opportunities.

In 1934, under the—under a federal Public Works Construction Act, approval to construct the Selkirk Lift Bridge came with a \$250,000 budget and was originally named the Dominion government relief project. The bridge would remain under the ownership of the City of Selkirk and the RM of St. Clements until 1967, when the provincial Progressive Conservative government accepted ownership and responsibility for the bridge and its repairs and maintenance.

In the 84 years of this bridge being open, it has only been a Progressive Conservative government that has provided the millions of dollars in upgrades, maintenance and repairs needed to keep the structure functional.

Today, the Selkirk Lift Bridge remains one of only a small number of lift bridges in Canada.

The bridge is a landmark in Manitoba. Known for its baby blue colour and the scenic views of the Red River, it serves both function and principle, being an integral link for emergency vehicle traffic and sees daily commuter volumes of 8,000 vehicles.

The Selkirk Lift Bridge, or as our locals call it, the Selkirk Blue Bridge, is a piece of Manitoba history that continues to provide a vital link for tourists and residents alike.

Today, we look forward to the Blue Bridge's 85th birthday.

Thank you.

### **Manitoba Building Trades New Institute**

**Ms. Malaya Marcelino (Notre Dame):** Mr. Deputy Speaker, a just economic recovery from the COVID-19 pandemic will require a commitment and focus to helping students, women and other under-represented groups enter the workforce, especially in the trades sector.

Thankfully, Manitoba Building Trades has recently opened a new state-of-the-art institute dedicated to training workers and helping Manitobans enter into the trades sector. This institute is located at 225 McPhillips and offers work-readiness training, which includes in-person, first aid and online courses.

The institute has committed to increasing supports for underrepresented groups like women and Indigenous peoples and have partnered with the Office to Advance Women Apprentices, Pathway to Work and Build Together to do so.

The training also covers a wide array of courses that go beyond trade skills, such as courses on professionalism in the workplace, personal financial management and annual safety renewals. The hope is that this very training will result in higher levels of entry and job retention for students.

The institute is prepared for the future as well. The site will operate an innovate hub for high-school students by offering trades familiarization programming, and there will be a virtual reality and augmented reality tools for all students that will be used to enhance learning.

\* (13:50)

There is also a strong focus on green economy initiatives and sustainable food sourcing, with courses being offered on home gardening and aquaponics training.

Please join me in congratulating Manitoba Building Trades for the great work they do and for opening a new institute that will be dedicated to training up the next generation of Manitoba's skilled workers and ensuring a just and safe economy for all.

Thank you, Mr. Deputy Speaker.

### **Mark Saler and His Dog Grizzly**

**Mr. Greg Nesbitt (Riding Mountain):** Mark Saler of Minnedosa and his dog, Grizzly, have found a new way to bring joy to patients and staff at hospitals in Brandon, Minnedosa and Neepawa.

Prior to the onset of the pandemic over a year ago, the 150-pound St. Bernard therapy dog and his owner would make regular visits to the three hospitals, brightening the lives of patients and their families, greeting visitors and saying hi to busy hospital staff.

With visits to hospitals curtailed, the pair have found a new way to continue the outreach. Saler said he came up with the idea of buying a whole bunch of miniature stuffed St. Bernard dogs and leaving them at the hospitals for the kids until Grizzly can return in person.

The idea percolated in 2020 after the Minnedosa Lions Club awarded Grizzly a Medal of Hope and presented Saler a \$500 cheque to assist with his travel expenses for his weekly trips to the hospitals. Saler appreciated the gesture but wanted the money go towards purchasing the stuffed dogs. Other businesses have since jumped on board and continue to contribute to the project. To date, Saler and his seven-year-old companion have dropped off over 200 stuffed St. Bernards.

Like many of us, Saler says Grizzly is having a hard time adjusting to how the pandemic has affected his work when they drive to a hospital to drop off the stuffed dogs: I drive a Jeep and I leave the back window open for him, and he's been giving me quite a few barks when I walk into the hospital without him because he knows that's his place and where he should be going.

Saler says he is overwhelmed with the community support, and that he and Grizzly will continue to make the rounds in a slightly different way until the pandemic ends and in-person visits are possible.

Mr. Deputy Speaker, on behalf of all Manitobans, I want to thank Mark Saler and Grizzly for their work in brightening hospital stays for patients in western Manitoba.

### **Deaf Centre Manitoba**

**Mr. Mark Wasyliv (Fort Garry):** The Deaf Centre of Manitoba is located at 285 Pembina Hwy., was created by and for the deaf and hard of hearing community in Manitoba. Over the years, the centre has offered resources, programming and advocacy for folks in the community, and also boats—boasts an

independent living quarter, which has really created a sense of belonging for people who are deaf and hard of hearing in Winnipeg.

The centre is one of a kind in Manitoba and has specialized technology in place that is necessary to support the daily lives of residents. Unfortunately, services have deteriorated over the last few years, and the building is no longer led by community members themselves.

Staff turnover continues to be high and many workers are not ASL-trained. There has been an increase in written memos from the third party management company, but not all residents are literate in the English language. Overall, communication has significantly worsened between residents and staff.

Deaf Centre Manitoba resides within a Manitoba Housing complex, and the 25-year lease is expiring in 2025, but the community is unaware of any changes that may happen in just a few short years. Furthermore, residents feel like their input is no longer valued by the people in control, and the centre's purpose as being a place for the deaf and hard of hearing community in Manitoba has completely diminished.

This government has slowly allowed a beloved centre for the deaf and hard of hearing community in Manitoba to become overrun by people who simply do not appreciate the specific needs and lived experiences.

On this side of the House, we know creating a plan in collaboration with the deaf and hard of hearing community in Manitoba before 2025 is paramount and possible, and it simply needs the willingness of this government to happen.

Thank you.

#### **Words of Wisdom From Larry Wilmore**

**Mr. Dougald Lamont (St. Boniface):** It's been more than a year of pandemic, and I just want to share some words of wisdom from Larry Wilmore. He's a brilliant comedian and a writer and a thinker and a truly extraordinary person. And he recently paid tribute to his brother who died this winter of COVID, and his words of comfort are too good not to share.

He said, and I quote: I miss my brother every day, and when I miss him, I really try to focus on my gratitude for having had him in my life, and I am gracious to have had my brother in my life.

And I know many of you feel the same way over loved ones that you have lost, especially if you lost

them too quickly. The thing that's kind of healing and the thing that can put some wind in your sails is that wind of gratitude for having had that person in your life, good times and the bad. And I hope that we can have some of that right now. I know it's not—it's difficult, it's not easy, but if we look for it, we can find it. And it takes effort to have gratitude. Gratitude is not something that someone gives to you, it's something you put out. It requires your service.

And Mr. Wilmore had an insight about show business that is also true, I think, of politics. He says: This business is very tough. And if you want to survive and be in it in the long haul, don't look at it as something you can get something out of, don't think what can this business do for you. Look at it as a—look for it as a place you can put something into. You can make a contribution. You can leave it better than what it was before.

I feel that that is what we need to focus on, at least for a summer. Is there a way we can leave things better than we did before? Can we find gratitude for the things we have? It doesn't matter what it is: family, our friends, our work, our hobbies—even for our country. As hard as it is sometimes to feel gratitude for many of these things, the better we can heal during these tough times. That's my thought.

Thank you, Mr. Wilmore, for his reminder that healing and gratitude are something we can put out into the world through our service.

**Mr. Deputy Speaker:** Time for oral questions.

#### **ORAL QUESTIONS**

##### **Manitoba Hospitals Staffing and Capacity Request for Out-of-Province Assistance**

**Mr. Wab Kinew (Leader of the Official Opposition):** A record-high 603 cases today, a record-high 15.3 test positivity rate here in Winnipeg, and we are sending some of the sickest patients from our province to Ontario because we can't care for them here in Manitoba.

This is a direct result of the political decision-making made by this government before and during the pandemic. It's a complete failure of the Premier, a Premier who refuses to show up for Manitobans during their times of greatest need.

This Premier has no plan. This much is clear.

Will he stand in his place today and ask for help from other provinces?



**Hon. Brian Pallister (Premier):** The member should ask for help with his questions for question period, Mr. Speaker.

The fact of the matter is that we're working diligently at every step of the way through this pandemic, working in tandem with our leading health experts, the people that the member opposite has decried, criticized and urged Manitobans to ignore throughout this entire pandemic.

And so I can only say, Mr. Speaker, shame on him for doing that, because, frankly, it's public health orders that are some of the most strict in the country, but it's also following them that matters. And the member has failed to do that and failed to apologize for failing to do that as well.

We'll continue to work to the best interests of Manitobans during this unparalleled and unprecedented time. Mr. Speaker, you can be confident and Manitobans can be confident of that as well.

**Mr. Deputy Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** Well, we've grown used to the Premier hiding, but when he starts hiding behind Dr. Roussin and others, it kind of takes it to a new level of low, and it's quite disappointing, but yet another fitting sign of his abdication of leadership.

What is taking place in hospitals right now is not only disturbing, it's very dangerous. Moving people hundreds of kilometres because this government failed to invest when they had ample warning about what was going on before the pandemic, when they were warned many times during the pandemic as well about the need to invest in intensive care.

That was their decision. That was the Premier's decision, empowered by his Cabinet. They chose to deliver Manitobans to the situation in which we find ourselves today: a moment where Manitobans can no longer trust this government to take care of the sickest among us during the pandemic.

It's a simple request and a simple question that could be answered right now: Will the Premier ask other provinces for help today?

**Mr. Pallister:** It's a Canadian family, Mr. Speaker. We've offered help to other provinces in their time of need throughout our history as a province. I won't hesitate to ask for support and help from other jurisdictions. It's a family.

But I will say to the member, in reference to trust and hiding, that it wasn't our government that failed to disclose our records to the people when we ran for office, it was him. And it was he who failed to stand in his place and apologize when he broke public health orders at a pivotal time, when it mattered. And it always matters, Mr. Speaker.

So I say to the member, we are standing up for Manitobans. We are working in partnership with other provinces. We will continue to do that. We are going to pursue the best avenues we can find to support and encourage Manitobans through these difficult times.

**Mr. Deputy Speaker:** The honourable Leader of the Official Opposition, on a final supplementary question.

**Mr. Kinew:** You know, I phrase this rhetorically to you, the Chair, Mr. Acting Deputy Speaker: What are you waiting for? What are you waiting for?

\* (14:00)

There is a record-high case count in Manitoba today. A record-high test positivity rate. We are shipping the sickest Manitobans out of province because this government doesn't have the staff to care for them at the bedside.

At what point would a premier ask for help, if not now? How much worse does it have to get before the Premier will put his pride aside and put the best interests of Manitobans first? How much worse does it have to get before someone in the Cabinet speaks up for common sense instead of merely going along with the plan?

We are in the most challenging point of the pandemic. We could have nurses come from out of province to help us.

Will the Premier simply ask for that help today, because it's needed right now?

**Mr. Pallister:** The member seems not to understand the incredible clean-up job this government was forced to do following the last NDP reign of error. He doesn't understand the 1,700 nurses that we hired before COVID were in addition to the others that were hired during the NDP time and that we have beefed up our available nursing supply.

He also isn't willing to accept the reality of the improvements we've made in acute-care services, the investments that we've made—significant investments—in improving ICUs. The strength of these investments will show and is showing right now.

But the reality is, of course, it's not enough. And so, of course, as the member suggested, we are ready to work with other jurisdictions, just as we have been ready to work with North Dakota on providing over 1,000 truckers with vaccines, just as we were ready to provide resources to Ontario and other jurisdictions in their time of need.

We expect the Canadian family to work together, something the member opposite knows nothing about.

**Mr. Deputy Speaker:** The honourable Leader of the Official Opposition, on a different question.

**Mr. Kinew:** Well, I can only hope that's not priming people for patients to be sent to North Dakota as well.

We are in a crisis right now that was created by cuts orchestrated by this government. They made a decision to reduce the number of ICU beds when they closed emergency rooms in Winnipeg. They made a decision at the Cabinet table to ignore the requests to hire more nurses to work at the bedside.

The Premier likes to come forward and cite various press announcements that he's made. However, the system failed Manitobans this week. You can measure it in the amount of patients who were sent out of province to Ontario for life-saving medical treatment.

And yet, do we see a plan? Do we see the admission that we need to ask for help? No, we see more denial, we see more evasion and we see a lack of responsibility. How are we supposed to believe anything the Premier or his ministers say?

When will they ask for help? Will they ask for help from other provinces and the federal government—

**Mr. Deputy Speaker:** The honourable leader's time is up. [*interjection*] Order.

**Mr. Pallister:** I don't need a lecture on evasion from a guy who hid his criminal record from his own party, Mr. Speaker. I don't need a lecture on evasion from a guy who hid his criminal record from the voters of Fort Rouge. I don't need a lecture on evasion from the member. I'm standing here. I'm answering his questions. But he should ask relevant questions.

One of them is how are we going to get through this together? And the way we're going to do that is we're going to follow the public health orders he failed to follow. And the way we're going to get through that is we're going to get people vaccinated.

Tomorrow's a big day. It's a big day for Manitobans, Mr. Speaker, because it's the day we start doing second vaccines, which is an excellent accomplishment for a vaccine team—another group he throws under the bus because he wants political advantage at the expense of honest integrity.

**Mr. Deputy Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** Well, perhaps the Premier can tell us where he's going to be at 4 p.m. when Dr. Roussin is pushed out before the cameras by himself to do the heavy lifting yet again?

We just heard from a member of the Cabinet; there are 60 firefighters from other provinces here in Manitoba right now. Why not any nurses? What is it about health care that this government is unwilling to ask for help on?

We are in a critical moment. It is undeniable that we exceeded our health-care capacity this week. We sent people out of province—the sickest Manitobans who we should be able to trust would find care here where they live, where they pay taxes. Instead, this government failed them and refuses to admit it.

Will the Premier simply ask for help to address the staffing shortage that he caused, by reaching out to other provinces today?

**Mr. Pallister:** I repeat—and I could give the member numerous examples of how we have beefed up the supply of nurses in this province. We have beefed up the supply of nurses in this province incredibly since the NDP left government and health care in a mess with the longest wait times in the country

Mr. Speaker, we have redeployed over 50 nurses to ICUs in this province. The ICU capacity is under attack and there's no doubt that we are going to need the support of others to help, including nursing staff that we have hired and nurses that we have redeployed and nurses that we are training right now and orienting to help on ICUs. We're taking all these actions, none of which were prepared for by the previous NDP government, all of which were beefed up in the first four years of our government.

And so I can only say to the member he's wrong. Ontario outpatients right now in Manitoba—nine Ontario outpatients—[*interjection*]

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —right today.

The member's recklessness is embodied by his unwillingness to listen. Nine Ontario patients in Manitoba today. We've got three in Ontario. We may need others in Ontario for help as well. We ask Ontario for help, they ask us for help. It's a long-standing relationship and we'll keep it going.

**Mr. Deputy Speaker:** The honourable Leader of the Official Opposition, on a final supplementary question. *[interjection]*

Order.

**Mr. Kinew:** Not only are we sending our sickest patients out of province because we no longer have the capacity to care for them after the health-care system was attacked by this government, we also know that Manitobans right here in the province are also paying the price.

Six questions in, the Premier refuses to commit to asking for help. Where does that leave Manitobans? Well, it leaves Manitobans facing a situation like we heard about today where a man for Transcona, in cardiac arrest, had to go to the Grace Hospital because St. B and HSC were on diversion. Two of the most important hospitals in the province on diversion. That's the ER. It's being caused by a backup from the ICUs. The situation is in a crisis.

How much worse will it get before the Premier puts his pride aside and asks other provinces for help?

**Mr. Pallister:** I've been asking for help since I was two years old, Mr. Speaker, and I haven't—stopping during a pandemic.

The member needs to put his pride aside and apologize for breaking the public health rules. That's what he needs to do. He needs to put his pride aside and apologize for hiding his criminal—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —record when he sought public office. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** He needs to put his pride aside and apologize to members of his own caucus and party for hiding his criminal record from them. That's what he needs to do.

And he needs to understand something. Last year, 20,000 patient visits in Manitoba from people from northwest Ontario. *[interjection]* The member won't listen. Continues to blab in his seat. But he needs to understand something: we have a long-standing,

strong relationship with the people in northwestern Ontario. I personally think that—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —northwestern Ontario should have been in Manitoba.

That relationship is so strong that we provide health care to one another and have been doing it for a long, long time. That's the way a functional family works. That's the way the Canadian confederation works. And when we need help, we ask for it, and we have always offered help to others when they needed it. And that's the way it's going to stay. *[interjection]*

**Mr. Deputy Speaker:** Order. Order. I'm standing. I'm standing. Order.

#### **Manitoba Hospitals ICU Capacity Transfer of Patients to Ontario**

**MLA Uzoma Asagwara (Union Station):** Mr. Deputy Speaker, consolidation and cuts left Manitoba badly prepared for a flu season, let alone a global pandemic. Beds were cut, highly skilled nurses and ICU staff were lost. ICU doctors and nurses have been sounding the alarm for years.

Rather than listen, this government questioned their motivations—*[interjection]*

**Mr. Deputy Speaker:** Order.

**MLA Asagwara:** —telling them that people in charge have got this, but they don't have control of the situation. That's evident. ICU patients are being transferred to Ontario.

How are these patients being selected? How are they being transported? And why has this minister and this government allowed this situation to reach this point?

**Hon. Heather Stefanson (Minister of Health and Seniors Care):** I want to thank the member opposite for that question. These are obviously very challenging times. No question about that.

\* (14:10)

There was a surge, obviously, in COVID patients in our ICUs in a very short period of time and so doctors were making decisions as to, you know, how to deal with that surge. And I want to thank them for the difficult decisions that they have had to make on— in these very challenging times.

I think what we need to do is we all need to do our part. We have public health orders. We've reached out

to Manitobans just on the eve of this long weekend to ensure that they follow those public health orders, that they go out and they get the vaccine and make those appointments and they get the vaccine. That is how we will get through this together.

**Mr. Deputy Speaker:** Order. I want to make sure this time I can hear the question, because last time it was very loud.

So, the honourable member for Union Station—just have respect for the member.

**MLA Asagwara:** We have been warning this government about cuts and rushed consolidation plans for years. And during this pandemic, we told this government, as have doctors and nurses over and over and over again, that there's not the necessary capacity in intensive care.

Events yesterday shouldn't be a mystery, and yet we see, to the Minister of Health and the Premier (Mr. Pallister), somehow it is. Now, this could've been seen coming for months and months, but this government won't plan and won't staff up.

How many more patients is this government putting on the road to Thunder Bay as a result of their incompetence?

**Mrs. Stefanson:** I want to thank all of those who are working in our front lines in our hospitals during this difficult time.

We obviously are coming up to the long weekend, and we know often that can mean, you know, more people in hospitals. And that's why it is so important now for all Manitobans to follow the public health orders and to ensure that each and every Manitoban goes out and gets the vaccine. That is how we will get through this together.

**Mr. Deputy Speaker:** The honourable member for Union Station, on a final supplementary question.

**MLA Asagwara:** Mr. Deputy Speaker, instead of trying to skate by and avoid answering even a single question, I hope that the Minister of Health will address this.

We're moving ICU patients out of province. It's incredibly risky to do so.

We're dealing with the same virus that's being dealt with in other provinces. What's different is this government's 'intransigence', their inability to meet the moment, their refusal to ask for help from the federal government or other provinces as has been

done elsewhere. This situation has been obvious for months.

How many patients is this government now preparing to ship to Ontario, and are they also intending to do the same to other jurisdictions, like maybe North Dakota?

**Mrs. Stefanson:** Those—[interjection]

**Mr. Deputy Speaker:** Order.

**Mrs. Stefanson:** —individuals have been working very diligently to ensure patient flow within our hospital system. That's why I—and I want to thank all of those who've been working in our incident command, our RHAs, Shared Health, all of those individuals who've been working diligently to ensure that that patient flow occurs within the system.

We do know that, as a result of that, more than—almost 300 individuals have been moved out of hospital into community where they can get the better care that they need, in the community and in homes. And, so, these are important. And when it comes to the ICU capacity, we need to ensure that they have the beds once they move out of the ICU. And so we are making sure that that is taking place through our patient flow plan.

#### **Manitoba Hospitals ICU Capacity Request for Assistance**

**Ms. Nahanni Fontaine (St. Johns):** Just one day after the Health Minister assured Manitobans the province didn't need a triage protocol and that our ICU capacity could expand to 170 beds, we learned our health-care system hadn't just reached capacity, it exceeded it—so much so, some patients have now been sent out of the province to receive care away from their families. This is because this government has utterly failed to prepare for the third wave of the pandemic, and now Manitobans are paying the price.

Will the minister apologize for misleading Manitobans and admit our ICU capacity is over capacity and we need help today?

**Hon. Heather Stefanson (Minister of Health and Seniors Care):** What I will say is that, you know, I want to thank our neighbours in Ontario.

I know that we've had a long-standing relationship when it comes to looking after those individuals in northwestern Ontario and our citizens as well. And so I do know that right now there's nine in-patients from Ontario in our Winnipeg hospitals.

And so we have this kind of reciprocal agreement that has been ongoing for a very long time. And I know that that's what this is—this is called neighbours helping neighbours. It's what we do as Canadians. And I want to thank all Manitobans. I want to thank all Canadians for that kind of neighbourly approach where we can help each other out. *[interjection]*

**Mr. Deputy Speaker:** Order.

The honourable member for St. Johns, on a supplementary question.

### Health-Care System Funding in Budget 2021

**Ms. Nahanni Fontaine (St. Johns):** This minister misled Manitobans. She told us that our health care had the capacity it needed, when it clearly didn't, Deputy Speaker. And the government has had a year to take action to reverse their cuts to health care and to invest, staffing up our health-care system and restoring relationships with nurses and doctors and to make services more accessible to all Manitobans.

They continue to cut in the midst of a pandemic: \$13 million in cuts to acute care in this year's budget alone in a global pandemic.

Will the minister admit that her government's approach to health care is failing and reverse these funding cuts immediately?

**Hon. Heather Stefanson (Minister of Health and Seniors Care):** Well, the member opposite is just wrong, Mr. Deputy Speaker. We're actually expending more than \$156 million more in health care just over last year, \$750 million more than the NDP ever did. So the member opposite is, just as usual, false.

What I will say is that we're adding 60 new full-time nursing positions to ICUs in Brandon, at Grace Hospital, St. Boniface and the Health Sciences Centre. Since April of 2020, 130 nurses have completed the critical-care orientation program, 39 new graduates just last month, all offered full-time positions in our ICUs; 28 started the course last week; 14 more are starting this week.

I want to thank all of those individuals who had the foresight to put these plans into place so that we have those critical-care nurses—

**Mr. Deputy Speaker:** The honourable minister's time is up.

The honourable member for St. Johns, on a final supplementary question. *[interjection]* Order.

### Patient Care Close to Home

**Ms. Fontaine:** The Health Minister is over her head to put forward statistics like that when the need is exponential. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** These issues were around long before the pandemic, and thanks to the Premier (Mr. Pallister) and his failed Health ministers' poor leadership and inability to make proactive decisions, they will likely be around for a long time.

After over a year of witnessing just how damaging these cuts and closures have been to our health-care system, on Tuesday the minister told Manitobans not to worry. She insisted everything was under control, and clearly, as we see yet again today, it is not, Deputy Speaker.

Can the minister explain what action she is taking to ensure that Manitobans can receive care in Manitoba close to their friends and family?

**Mrs. Stefanson:** Well, Mr. Deputy Speaker, the arrogance—extreme arrogance of the member opposite never ceases to amaze me.

Individuals in our health-care system have been working diligently in preparing. I just finished answering the member's previous question with a number of new nursing staff that are entering into our ICUs.

We've also, and I mentioned this before, we've also improved—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Stefanson:** —patient flow, those who were working diligently in our health-care system, those in Shared Health, those in our RHAs, those at incident command—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Stefanson:** —working very diligently to ensure that we can do that.

We've also implemented a virtual COVID out-patient support program, which is working extremely well to help those patients in the community with COVID.

And so these are all the incredible things that have been put in place, the plan that have been—has been put in place by those who are working—

**Mr. Deputy Speaker:** The honourable minister's time is up.

### **Manitoba Hospitals Staffing and Capacity Request for Out-of-Province Assistance**

**Mr. Matt Wiebe (Concordia):** Mr. Deputy Speaker, today there are over 1,300 nurse vacancies in Winnipeg hospitals. There are hundreds more across the province. The nurses to fill these vacancies don't appear out of thin air.

The minister's erroneously and ever-changing claims about ICU capacity—but no matter how many beds she claims are available today, the limit is and always will be the number of high-skilled and available health-care professionals to staff those at the bedside.

\* (14:20)

Why has the minister allowed the situation to fall apart to this degree, and why didn't she ask for assistance from other provinces weeks ago? *[interjection]*

**Mr. Deputy Speaker:** Order. The clock is ticking. Order. I'm standing. Order. Order.

**Hon. Heather Stefanson (Minister of Health and Seniors Care):** Well, Mr. Deputy Speaker, it's not just weeks ago. Years ago, in fact, we've had a long-standing relationship with our neighbours and certainly in northwestern Ontario. We know that right now, there are nine in-patients from Ontario in Winnipeg hospitals. We know that, annually, we receive more than 20,000 people from northwestern Ontario, patients who visit Manitoba care.

This has been a long-standing relationship between our provinces. And we know that this is neighbours helping neighbours and, certainly, we thank them for their help and support during these very difficult times.

**Mr. Deputy Speaker:** The honourable member for Concordia, on a supplementary question.

**Mr. Wiebe:** Mr. Deputy Speaker, intensive-care physician Dr. Anand Kumar explains that to make up for the lack of staff, ICUs are now stretching the ratio of care from one-to-one to three-to-one. He calls the situation ridiculous, and he warns that bad stuff is going to happen as the standard of care deteriorates. *[interjection]*

First Minister might find this funny, but this emerging situation has been obvious to everyone except this government since before the pandemic began.

Why has the minister pushed us past the breaking point, and why did she not call for staffing assistance from elsewhere weeks ago?

**Mrs. Stefanson:** Mr. Deputy Speaker, I just finished talking to the member opposite with respect to our long-standing relationship with northwestern Ontario, how we're helping each other out during these difficult times.

What I will say is that our incident command, Shared Health, regional health authorities, have been working diligently to ensure that we have a plan in place. That's why there's been an—a nurse—an increase in nursing staff. We've added 60 new full-time nursing positions to ICUs in Brandon, Grace Hospital, St. Boniface and the Health Sciences Centre, and there are many more nurses that are, right now, as we speak, being trained to work within our intensive-care units.

**Mr. Deputy Speaker:** The honourable member for Concordia, on a final supplementary question.

**Mr. Wiebe:** ICUs are beyond their breaking point now, and this minister and government simply are incapable of learning from others and learning from their own mistakes. This is the same virus and the same variants that are stretching resources in other provinces, yet Manitoba is out of capacity because of this government political decisions. They're the ones shipping ICU patients to Thunder Bay.

Why is this government doing so much damage to our health system in Manitoba? Why won't they admit their mistakes, and why won't they ask for help from other provinces?

**Hon. Brian Pallister (Premier):** Well, we've already asked for help and we'll continue to. We've given help, too.

But as far as admitting mistakes is concerned, thank goodness this pandemic didn't happen in 2016. That's all I can say, Mr. Speaker, because at that point we had the longest waits in ERs in the country of Canada—the four terms of the NDP. We had the most people leaving—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —without being seen, in the country. This is according to the Canadian institute of health information. *[interjection]* The Opposition Leader could still himself for a moment, get a little control and learn. We had the most double transfers in Canada: people going to an emergency room, couldn't

be seen, shipped out to somewhere else. We had the highest ambulance fees.

The members speak about planning. They had 17 years to fix the health-care system. They broke it. We started to fix it. And all of this happened when there wasn't—

**Some Honourable Members:** Oh, oh.

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —a pandemic. Again, Mr. Speaker, I say: 17 years to get it right; no pandemic, worst system in the country. We're fixing what they broke. *[interjection]*

**Mr. Deputy Speaker:** Order.

#### **Government's Pandemic Response Critical-Care Plan for the North**

**Mr. Tom Lindsey (Flin Flon):** Mr. Deputy Speaker, emergency care in northern Manitoba has been destroyed by this government before the pandemic ever hit. ICU diversions happened in the city because they were over capacity because of this government's cuts.

The pandemic hit. Now what? What's the plan?

Why has this minister and this government—and particularly this Premier—badly managed critical care in this province, and what is the plan to fix it? Do they have one?

**Hon. Heather Stefanson (Minister of Health and Seniors Care):** The member opposite, in his own community, in Flin Flon, where they received more than \$30 million towards a new emergency-care centre there, Mr. Deputy Speaker—I will remind the member opposite, what did he do when that was before this House? He voted against it. Shame on him—*[interjection]*—shame on him. *[interjection]*

**Mr. Deputy Speaker:** Order.

The honourable member for Flin Flon, on a supplementary question.

**Mr. Lindsey:** So, let's talk about the pandemic and the response plan, Mr. Deputy Speaker.

This is the worst health crisis this province has ever seen, but it's been made worse by this government's cuts, consolidation and total incompetence. They saw the second wave. They saw how the variants were affecting people. What did they do? Nothing. Absolutely nothing.

They have to admit their mistake now, but they won't do that.

Why has this minister, why has this government, why has this Premier so badly managed Manitoba? What is the plan to fix critical health care in Manitoba, particularly in the North? What's the plan today? *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Stefanson:** The plan started with a new ER in the very member's backyard in Flin Flon, Mr. Deputy Speaker. And what did he do? He had a chance at the time to stand up what was—for the right thing, for his community, for his members, for his constituents. And what did he do? He voted against it.

We will take no lessons from members opposite. *[interjection]*

**Mr. Deputy Speaker:** Order.

The honourable member for Flin Flon, on a final supplementary question. *[interjection]* Order.

**Mr. Lindsey:** You don't just flip a switch and—poof—there appears to be critical care all of a sudden. Doesn't happen that way, Mr. Deputy Speaker.

ICU capacity is overwhelmed. Patients in the city are being sent to Thunder Bay. We asked about a triage plan. They don't have one. The minister stands up and talks about an empty ER building in Flin Flon. She won't talk about a plan to—how to address the health-care disaster that this government has created in the North.

What is the plan? People in the North are asking: What's the plan for people in the North? How will they get critical care? Are they just going to be left home to die by this government?

**Hon. Brian Pallister (Premier):** Well, the member is right on one thing and one thing only: that you don't just flick a switch and clean up a massive mess.

And thank goodness it isn't 2016, because in 2016 we had the longest ER waits in the country of Canada, bar none, and the NDP had no plan. Well, actually, did they fix the longest waits in Canada? No, they didn't, Mr. Speaker.

The member for Flin Flon should know that they had the most double transfers in the country here because people went to an ER, waited a record time, when admitted had to be shipped to another ER. They had the highest ambulance fees—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —in the country and they had the most people leaving without being seen.

The member speaks of a plan. The NDP knew that they needed to fix the system. They commissioned a plan, but they just didn't have the courage to act on it. So we did, and thank goodness this isn't 2016 and we've started to clean up the mess the NDP left the people of Manitoba.

**Some Honourable Members:** Oh, oh.

**Mr. Deputy Speaker:** Order. Order.

Just want to remind everybody we have a long day ahead of us. We're here to—all together from—'til 10:30, at least. So if we can save some of that energy until—for the rest of the hours.

\* (14:30)

### **COVID-19 Pandemic Third Wave Health System and Financial Supports**

**Mr. Dougald Lamont (St. Boniface):** With over 600 cases today and the ERs on redirect, we are heading into some very rough weeks for our health-care system and our economy.

Throughout this crisis, Manitoba Liberals have offered solutions as well as criticism, and that is what we are asking for today.

First, we need a huge push on testing and contact tracing to figure out exactly where COVID-19 is spreading.

Second, ICU capacity can only expand with staff. We need emergency medical supports, so we should call on the feds and other provinces for help. Nurses need a contract and bonuses.

Third, every MLA needs to get up and tell their constituents to get vaccinated.

Fourth, we need immediate new income and organization supports so Manitobans can afford a shutdown.

Will the Premier commit to making these happen today, or—because Manitobans simply can't wait?

**Hon. Brian Pallister (Premier):** Yes, no, I appreciate the member's comments, and I wanted to just, if I could, quickly say thank you to him for his member's statements today. I think that's really important, that effort to find gratitude in the time of sadness and sorrow is a difficult challenge for all of us, and having lost someone close to our family during this time, I share that concern. So I wanted to say a sincere thank you to him.

As to the issue of testing, we have ramped up our testing capacity tremendously. I thank the testing teams for that. I encourage them to continue that work, as we must continue to do it. And I thank also our contact tracers. We're finding increasing numbers of people are saying that they have violated the health orders when we contact-trace them, and many others are not answering the questions, which leads us to believe—at least, the health experts to believe they're not complying either.

So we need to have people comply with the health orders, we need them to get vaccinated. He's quite right in his observations. We'll continue to push in that direction.

**Mr. Deputy Speaker:** The honourable member for St. Boniface, on a supplementary question.

**Mr. Lamont:** The Premier sometimes sounds like the captain of the Titanic asking for credit for all of the icebergs he didn't hit. If we are headed for stay-at-home orders today, they cannot be stay-at-home-and-go-broke orders.

The Premier has had no trouble finding hundreds of millions of dollars to bail out the Bombers again, but Manitobans who have never qualified for help are in trouble, because the latest insolvency statistics are out, and they are rising across Canada, including in Manitoba.

We need a new ban on evictions and real financial help to make sure that, if people have to stay home, they can pay their bills and have a job to go back to when the third wave passes.

Will this happen today, or will the Premier leave Manitobans to sink or swim?

**Mr. Pallister:** Well, that was as graceless as his member's statement was graceful. That's all I can say, Mr. Speaker, about that.

I can only tell him that we are deeply appreciative of the work of our—not only our front-line workers, but our health professionals, our epidemiologists, who have, you know, dedicated a decade of their lives to training and becoming professionals and giving us advice, decades of service to the people of Manitoba. These are the folks we take advice from. And I and my Cabinet are responsible for the decisions, and we accept that. And we accept the honest questions of members opposite, even when they're torqued.

But I can only say to the member that our goal should be, all of us, to encourage people to get vaccinated. And I would hope we would do that, and I



would hope we would encourage also people to follow the public health orders. And if we do these two things together and—I think that's important—I think we can get through this thing. But we need to be focused on that.

**Mr. Deputy Speaker:** The honourable member for Tyndall Park, on a final supplementary question.

### **Manitoba Hospitals Staffing and Capacity Request for Out-of-Province Assistance**

**Ms. Cindy Lamoureux (Tyndall Park):** It has been evident for quite some time now that Manitoba hospitals are in a staffing crisis. Just yesterday, three critical-care patients were transferred to Ontario, leaving Manitobans in a dangerous situation because our ICUs are full.

This government had ample time to prepare, and they didn't, and now nurses and doctors in our hospitals are burned out and short-staffed in the midst of the worst health-care crisis in decades. It has been reported there is now a three-to-one patient-nurse ratio in our ICUs.

Will this minister call in federal help, including military help and interprovincial help, to get through this third wave?

**Hon. Brian Pallister (Premier):** Well, we've continued to take actions earlier than most provinces and—for example, in terms of restrictions.

We brought in very strong restrictions much earlier than any other jurisdiction from Quebec to the west coast. We have beefed up enforcement, but it was already strong. We continue to lead in terms of our ticketing and enforcement. We need to continue to make sure those deterrents are there so that people who want to take the lead of the Opposition Leader and disregard the health orders don't do that, or are disinclined to do that. *[interjection]*

Such as he speaks now, he still hasn't apologized for doing that and he should actually get up and apologize, but he doesn't have the sort of principled basis that he needs to stand up and do the right thing, Mr. Speaker, which is too bad. He didn't have the courage to put his record on the line, now he doesn't have the courage to defend something that's indefensible. I understand that of the member.

But I will continue to say that we need to do two things and we need to focus on those two things: get people vaccinated, and make sure that you don't do what the NDP leader did and violate the public health

orders and then run away from accountability and not admit you did it—

**Mr. Deputy Speaker:** The honourable First Minister's time is up.

### **New Fisheries Investments Funding Announcement**

**Mr. Greg Nesbitt (Riding Mountain):** Manitoba is home to a diverse landscape filled with vibrant fisheries. We have seen the interest in angling grow over the past year as Manitobans stay closer to home due to COVID-19.

Our government recently announced an investment of more than \$800,000 to help sustain Manitoba's world-class fisheries.

Can the Minister of Agriculture and Resource Development update the House on this significant investment and how these funds will benefit Manitoba's fisheries?

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** I thank my colleague from Riding Mountain for that excellent question.

On May 14th, our government announced \$600,000 in new funding to support monitoring, data collection and management for our fisheries that will support Manitoba's mandate for eco-certification. Our government also invested \$250,000 in a new fish hatchery stocking truck, which will result in a—more efficient and flexible stocking operations.

These are significant investments that will ensure our valuable fisheries are managed sustainably for all users and for future generations.

Happy fishing, everyone. Stay safe.

Thank you, Mr. Deputy—

**Mr. Deputy Speaker:** Time for oral questions has expired.

## **PETITIONS**

### **Lead Water Pipes**

**Mr. Jim Maloway (Elmwood):** I wish to present the following petition to the Legislative Assembly.

The background of this petition is as follows:

(1) 2,755 homes in the Elmwood-East Kildonan area have lead water pipes connecting their basements to the City-owned water pipes at their property line. Homes built before 1950 are likely to have lead water pipes running to this connection.

(2) New lead level guidelines issued by Health Canada in 2019 are a response to findings that lead concentrations in drinking water should be kept as low as reasonably achievable, as lead exposures are inherently unsafe and have serious health consequences, especially for children and expectant mothers.

(3) 31 per cent of Winnipeg's 23,000 homes with lead water pipes connecting basements to the City-owned water pipes at their property line were found to have lead levels above the new Health Canada lead level guidelines.

(4) The City of Winnipeg has an inventory of which homes and public buildings, including schools and daycares, that have lead water pipe connection to the City's watermain. It will only disclose this information to the homeowner or the property owner. The cost of replacing the lead water pipe to individual homeowners is over \$4,000.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to immediately contact all home and property owners in Manitoba with letter-lead water pipes connecting to the City watermain line and provide full financial support to them for lead water pipe replacement so that their exposure to lead levels is reduced, their health is better and costs to our provincial health-care system are also reduced.

And this petition is signed by many Manitobans.

**Mr. Deputy Speaker:** In accordance with rule 133-6, when petitions are read they deemed to be received by the House.

Any further other—further petitions?

Grievances?

## ORDERS OF THE DAY

*(Continued)*

## GOVERNMENT BUSINESS

### House Business

**Hon. Kelvin Goertzen (Government House Leader):** On House business, I'd like to announce that the Standing Committee on Legislative Affairs will meet on Tuesday, May 25th, 2021, at 6 p.m. to consider the following: Bill 217, The Legislative Assembly Amendment and Legislative Assembly Management Commission Amendment Act.

**Mr. Deputy Speaker:** It has been announced by the honourable Government House Leader that Standing

Committee of—on Legislative Affairs will meet on Tuesday, May 25th, 2021, at 6 p.m. to consider the following: bill two seven—217, The Legislative Assembly Amendment and Legislative Assembly Management Commission Amendment Act.

\* \* \*

\* (14:40)

**Mr. Goertzen:** Mr. Deputy Speaker, could you please call for continuation of second reading today—sorry, concurrence and third reading—we certainly don't want to go back to second reading—Bill 48, 56, 62, 63, 33, 41, 45, 37, 38, 46, 51, 58, 60, 61, 3, 8, 11, 21, 5, 6, 30, 32, 17, 15, 53, 20, 23, 22, 25, 34, 36, 52 and 55.

**Mr. Deputy Speaker:** It has been announced by the honourable Government House Leader that—will be concurrence and third reading of the following bills: Bill 48, 56, 62, bills 63, 33, 41, 45, 37, 38, 46, 51, 58, 60, 61, 3, 8, 11, 21, 5, 6, 30, 32, 17, 15, 53, 20, 23, 22, 25, 34, 36, 52 and 55.

And once we've been—get that all completed, royal assent.

## CONCURRENCE AND THIRD READINGS

### Bill 48—The Fiscal Responsibility and Taxpayer Protection Amendment Act

**Mr. Deputy Speaker:** The first one on the order page will be now Bill 48, the fiscal 'responsby' and taxpayers protection amendment act.

**Hon. Scott Fielding (Minister of Finance):** I move, by the Deputy Premier, that Bill 48, the—

**An Honourable Member:** Second by.

**Mr. Fielding:** —second by the—sorry. I move, seconded by the Deputy Premier (Mr. Goertzen), that Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

**Mr. Deputy Speaker:** It has been moved by the honourable Minister of Finance, seconded by the Deputy Premier—

**Some Honourable Members:** Oh, oh.

**Mr. Deputy Speaker:** Order. That Bill 48, the fiscal 'responsby'—

**Some Honourable Members:** Oh, oh.

**Mr. Deputy Speaker:** Order.

I'll read this all over again.

It has been moved by the honourable member for—Minister of Finance (Mr. Fielding), seconded by the Deputy Premier (Mr. Goertzen), that Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act, reported from the standing committee of social economics development and concurred in and now read for the third time and passed.

**Mr. Fielding:** I'm pleased to rise today for third reading of Bill 48. The legislation lays out a plan for Manitoba to return to balanced budget within eight years, Mr. Deputy Speaker. We believe this path balances the needs to return to balance of budgets while responding to the pandemic and allowing for important investments in things like education, things like health care, the economy, the environment and lessening tax burdens for Manitobans, which is so important.

The legislation is about fiscal responsibility, recognizing that debt is not in the long-term interests of the people of Manitoba.

To prove this point, I would highlight the current situation in Manitoba. Interest rates are at a historical low. In spite of these low interest rates, Manitoba is paying over \$813 million in interest payments this year. Interest payments are the fourth largest department of government right now, Mr. Deputy Speaker. It is nearly 5 per cent of our budget. Eventually, interest rates will rise as the economic growth rises, and the debt-servicing costs will grow. If interest rates were high in the 1980s, it could be one of the largest—in fact, it would be the largest department in the government.

Bank of Canada, currently, outlook for—on the benchmark interest rates for the next couple years is in line with current levels depending on inflation, Mr. Deputy Speaker. However, I have news for the Legislature. In this year to come, the debt will still be here and people of Manitoba's tax revenues will go to service those interest charges. Borrowing money spent on a short-term investment has this long-term interest costs.

This money is not spent on education, the environment, economic development, justice, health care, addiction treatment and other priorities if we're being—spending money debt servicing charges. We balanced the previous budget faster than our balanced budget legislation required in 2019 and '20, and we will work to balance the books again.

To those who oppose the bill—and I'm sure there will be others like the NDP that oppose the bill

because they don't believe in physical responsibility—I ask: would you rather pay our lenders interest rather than investing in priorities of Manitobans, returning Manitobans' hard-earned money that they deserve, Mr. Deputy Speaker.

Some of us said that we should not be attempting to legislate physical responsibility. I respectfully disagree with that premise, Mr. Deputy Speaker, and so does our party. As a democratic society, the fiscal policy of the government should be in place in legislation as a way to provide certainty to our citizens about how the provincial finances will be administered. We in the Legislature should, of course, debate what fiscal policy should be, make sure there's a plan in place.

We also believe that Manitobans should have a say on any tax increases. It's not a double standard to allow money to be returned to Manitobans without a referendum because it's recognizing where the money came from: Manitobans.

Our government has responded to unprecedented pandemic with unprecedented investments in health care, in economic supports that are amongst some of the highest and generous in country. We went from being a slight surplus in 2019-20 to a \$2-billion surplus, Mr. Deputy Speaker, because we made investments when they're needed most to Manitobans. We are seeking to return to balanced budgets in a way that does not compromise health, economics, economy—the economy, social and environmental outcomes of the Legislature—just does this.

Mr. Deputy Speaker, we truly believe at our side of the House that there needs to be a plan in place. Right now is the time to protect Manitobans. We're making the most investments to support Manitobans—their health as well as their financial whereabouts or businesses and other supports that are in place.

We also need a long-term plan, and that's been the problem and lessons that we've learned from other governments, the NDP government, that failed to have a plan in place to get their selves back into balance. We're not going to make those mistakes again, Mr. Deputy Speaker.

We've planned to, No. 1, protect Manitobans, to balance the budget, to get ourselves back in a timely way—in an eight-year time period, as well as support Manitobans when they need it most, and also provide important tax relief, Mr. Deputy Speaker, to Manitobans during a pandemic. We're very proud of this legislation.

**Mr. Mark Wasyliv (Fort Garry):** I guess nothing should surprise us at this point, but I still am. I still am so surprised at this minister and how he lacks self-awareness, how he can stand up in this Chamber and accuse my party of not believing in fiscal responsibility and can lecture the Chamber about fiscal responsibility and, you know, paying interest on debt charges when his government has borrowed the largest deficit in Manitoba history and spent it on wealthy Manitoban tax cuts—something that we will be paying interest on for generations.

And there is no fiscal reason to do it, and it's simply a gift and a wealth transfer from hard-working Manitobans to the wealthiest Manitobans. And in nobody's view is that fiscally responsible. In nobody's view is that worth borrowing money and putting generations of Manitobans into debt over that.

This is a government that has cut taxes so severely for wealthy Manitobans that we've had two credit downgrades back to back. That's never happened. No—for 17 years of an NDP government, there was 10 years of balanced budget. This government had one, and they had two credit downgrades during that period of time.

\* (14:50)

And the Parliamentary Budget Office of the federal government tells us that this minister's economic approach is driving Manitoba off a fiscal cliff, that it is not sustainable, that we can't actually pay for our services because they want to make sure that their wealthy campaign donors don't pay for public services in Manitoba. It is so bizarre that in their alternative world, they think that's fiscal responsibility.

So, this is a very tired government, and this bill highlights that. I think this illustrates just how tired this government is and how they really have no ideas. Their whole governing philosophy has been tax cuts for the very wealthy—for Manitobans, and then cutting education and health-care services for everybody else.

And when they're not doing that, their second priority is to sell off and privatize Manitobans' public assets. This is our common wealth that they're, you know, selling off to the lowest bidder, often friends of this government. I mean, if you characterize the whole economic approach of this government, it's Trump-style politics; it's crony capitalism; it's get in office, enrich yourself, enrich your campaign donors and the heck with everybody else.

But you know, that doesn't actually fill the day. So they have a lot of time on their hands, so they come up with political stunts. And of course, that's what Bill 48 is; it's a political stunt.

And as their poll numbers have dropped, they have become more and more desperate and the stunts have become more and more extreme, culminating in the education tax rebate stunt—and of course, this bill. Well, this is pure political theatre. It's simply not a credible or a serious piece of legislation; it's cynical; it serves no public policy function.

I—if this minister was self-aware, he would actually be embarrassed for bringing a piece of legislation like this forward, actually putting his name on it so there's some historical record of his failure and his time at the Legislature. But he doesn't, and maybe that's best for him.

But let's talk about the idea of this type of legislation. It dates back to 1980s, Reagan-era, US-style Republican politics, and the idea that you can somehow entrench austerity as a governing philosophy in a democracy.

So, no other democratically elected governments can come in and have different policy choices, even if they disagree with austerity and sort of, you know, crony capitalism. That's absurd; it's undemocratic and it hasn't aged well.

And we see—this pandemic is a good example of why this law is absolutely ridiculous, because this government hasn't even followed the philosophy of this law during this pandemic. Because it would be an even bigger disaster than their current responses because it would cause even worse public health and economic crisis than what they're mismanaged so far, because it wouldn't give them any tools to try to get the province out of this situation. They would be forced to live within their means and not raise taxes or borrow any money.

So, no government in the history of governments that ever brought in a silly piece of legislation like that have ever penalized themselves as a result. And as—like this government has shown, the law can simply just be changed whenever they don't meet their conditions. So, why have it? Why engage in this cynical political theatre that's never been taken seriously by any government, including this one, and we just go through the motions—it seems almost yearly, because this government doesn't meet their targets—and then we have to come back and change the legislation again and again.

I mean, treat Manitobans as grown-ups; treat Manitobans as mature and intelligent and can see through this, like, transparent, silly, cynical, political theatre and actually govern responsibly and skip the Conservative virtue signalling. Because that's what this is.

In five years of office, they have never once allowed themselves to be governed by this law. They have changed this law four times in five years, and each and every time they were about to contravene the law, they modified it so they could save their salaries. Their—they have never been serious about being governed by it, and whenever they get into any kind of problems—which is yearly—they change the goalpost.

So, Manitobans can expect that when they get into trouble again, they will change the goalpost. So no one believes this government. No one believes that they have any credibility with this legislation. You know, there's even right-wing columnists out there that have mocked this government and this legislation as Hollow Man, cynical, political theatre that it is.

So this is empty political virtue signalling. It's deeply hypocritical. This is—Pallister government and Cabinet have shown more regard for their own salaries than they have for the wages of teachers, bus drivers, Hydro workers and other civil servants.

They refuse to bargain in good faith with Manitoba nurses: four years without a contract—that's completely shameful—1,300 nurse vacancies in our hospitals at a time of a public health crisis. They've reduced the civil service by 18 per cent, not allowing us to have our own capacity in Manitoba to actually give Manitobans a fighting chance against the pandemic.

They have driven numerous small businesses into bankruptcy. More are going to follow, and they have abandoned them. They have abandoned small producers throughout the province, and they've been gutting small-town economies in Manitoba.

They have laid off educational assistants and other civil servants during the first wave. Some of our most vulnerable workers, they threw out of work, even though these families were desperate and needed that work. It was 11,359 layoffs, when we were at one of our most desperate moments, and this government, all they're focused on, other than tax cuts for the rich, are protecting salaries for underperforming ministers, like we have here.

So this bill is an artifact of the 1980s, US-style, right-wing politics. It has no business in a modern democracy. It's not a serious bill. This is not a serious

government, and Manitobans are tired of these kinds of cheap theatrics and want a government that takes its role seriously and actually governs in good faith on behalf of all Manitobans, not just their wealthy donors.

This is obviously self-interested and cynical, and Manitobans absolutely deserve better. No one should be supporting this bill, and for the sake of what little credibility this government has left, I would strongly urge them, in no uncertain terms, to withdraw it, and, of course, you will be, and the province will be, better for it.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** The honourable member for St. Boniface (Mr. Lamont).

**An Honourable Member:** Mr. Deputy Speaker—

**Mr. Deputy Speaker:** Oh, the honourable member for Tyndall Park.

**Ms. Cindy Lamoureux (Tyndall Park):** I would just like to put a few words on the record about Bill 48, the bill that we're strongly opposing.

My colleague from St. Boniface said it very well at second reading, as he explained how when a bill such as this, The Fiscal Responsibility and Taxpayer Protection Amendment Act, has to be amended seven times by the NDP and four times by the PCs, it's just telling that it's not a good bill. It is exceptionally telling that this legislation is clearly a mess that needs to be properly addressed rather than continuing this repetitive and consequential cycle.

And, you know, Mr. Deputy Speaker, the member who spoke just before me, from Fort Garry, blames the PCs, and trust me, I agree with him. I don't like what the PCs are doing with this legislation, but frankly, it's such hypocrisy. This NDP—the NDP party amended this legislation even more than the PCs have so far amended it.

This legislation is such a tangible example, demonstrating how this government is not fiscally responsible. And when I think about strong and healthy for our economy, fiscal management, I think about the importance of knowing when to invest and knowing when to borrow money. And throughout this world pandemic, this government has made cuts, has caused Manitobans to lose out on federal funding and is still concerned with the ministerial salary top-offs.

The priorities of this government are completely backwards, and that is why we cannot support this legislation.

Thank you.

**Mr. Deputy Speaker:** Any further speakers?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** The question before the House is concurrence and third reading of Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

#### Recorded Vote

**Mr. Matt Wiebe (Concordia):** A recorded vote.

**Mr. Deputy Speaker:** A recorded vote has been requested. Call in the members.

\* (15:00)

The question before the House is concurrence and third reading of Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.

#### Nays

Adams, Altomare, Asagwara, Brar, Bushie, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

**Clerk (Ms. Patricia Chaychuk):** Yeas 31, Nays 20.

**Mr. Deputy Speaker:** The motion is accordingly passed.

\* (15:10)

#### Bill 56—The Smoking and Vapour Products Control Amendment Act

**Mr. Deputy Speaker:** Now we'll go on to bill number—concurrence and third reading on Bill 56, The Smoking and Vapour Products Control Amendment Act.

**Hon. Audrey Gordon (Minister of Mental Health, Wellness and Recovery):** I move, seconded by the honourable member for Springfield-Ritchot (Mr. Schuler), that Bill 56, The Smoking and Vapour Products Control Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

#### Motion presented.

**Ms. Gordon:** Commercial tobacco smoke—commercial tobacco remains the leading preventable cause of premature death in the world, and smoking kills more than 2,000 Manitobans every year.

There are growing concerns on the negative impacts of vaping, such as promoting nicotine dependence in our youth and lung damage and other potential long-term health impacts of inhaling the chemicals in vapour products that are still being assessed.

The Smoking and Vapour Products Control Act currently provides that it does not apply to a place or premises occupied by a federal work undertaking or business or on reserves, except for the prohibitions in the act respecting the smoking and vaping of cannabis. This exception is unique in Manitoba legislation, and based on the results of an interjurisdictional scan in Canada, and it means that the health—and it means that the health protection measures relating to the harmful activities of smoking and using e-cigarettes are not applicable across Manitoba.

Bill 56 will repeal this exception so that the act will apply across Manitoba subject to legally

recognized exceptions. This amendment is intended to provide equitable access to healthy, smoke-free and vapour-free enclosed public places and workplaces for all Manitobans and support the denormalization of smoking and using vapour products for children across Manitoba so they are not encouraged to engage in these harmful activities.

Thank you, Mr. Deputy Speaker.

**Mrs. Bernadette Smith (Point Douglas):** While this minister continues to bring this bill forward under the guise of health, well, Deputy Speaker, we know that this is just another ploy to pick a fight with First Nations. The Minister for Mental Health, Wellness and Recovery and the Minister of Indigenous and Northern Affairs (Ms. Clarke) have implied that they have properly consulted with and 'gotten'—and received consent from First Nation leaders on Bill 56, The Smoking and Vapour Products Control Amendment Act. This is simply not the case and these ministers are still going full steam ahead and overstepping their jurisdiction.

*Mr. Dennis Smook, Acting Speaker, in the Chair*

This Progressive Conservative government is continuing the long and sad tradition of gaslighting, abusing and trying to take advantage of First Nations. First Nations will no longer sit idly by and allow this government to do that. They are asserting their rights to self-determination, and so they should. They are rightholders here in Canada and they are the first peoples of this country and deserve the respect from this government.

The Minister for Mental Health, Wellness and Recovery during committee stage thanked Katherine Legrange, who was presenting on behalf of Treaty 1. She said, and I quote: I would like to thank you, Katherine Legrange, for your presentation on behalf of the Treaty One Nation and for sharing the Treaty One Nation's position on the amendment that will be made on the bill. I have a long-standing relationship with First Nation communities and Indigenous peoples in this province. End quote.

Well, Deputy Speaker, setting aside the condescending, paternalistic nature of the minister's comments, it is not for the minister to determine the nature or existence of her relationship with First Nations. These were comments aimed directly at discrediting and disregarding the genuine frustrations of a First Nation leader who came before this committee in good faith to air grievances over the trampling of Indigenous rights and the lack of

consultation. There's a real irony to this minister saying that she respects the executive director's comments and will take them to heart in a statement meant to discredit her.

This—the complaints are very real and very important, Deputy Speaker. Ms. Legrange has not only to—is not the only First Nation leader to air grievances publicly regarding this bill. The minister responsible may not have been listening, but that doesn't mean that First Nation leaders haven't been speaking.

On April 12th, Chief Dino Flett of Garden Hill First Nation wrote a letter regarding—or representing Garden Hill, Red Sucker Lake, Wasagamack and St. Theresa Point First Nations. Since this government is unwilling to do more than pay lip service to consultation with First Nations, I'll give them no choice but to hear what First Nations leaders have to say. And I quote: We, the First Nations of Island Lake residing in the Garden Hill, St. Theresa Point, Wasagamack and Red Sucker Lake First Nations, do hereby affirm that we have never relinquished our inherent right to govern ourselves and continue to maintain the freedom and spirit of the First Nations self-governance as practised by our ancestors. We, the members of First Nations of Island Lake, do hereby declare the right to exercise and assert our sovereignty of self-governance and self-determination by opposing the Province of Manitoba's attempts to insert itself into our inherent First Nation's jurisdiction through Bill 56.

\* (15:20)

First Nations' leaders are also saying that the Province of Manitoba's violating their 'inherited' treaty rights that were affirmed in Canada's 1982 constitution and that they reject any attempt by the Province of Manitoba to violate their jurisdiction and their right to enact their own laws for health and well-being of their people.

Now, Madam—now, Deputy Speaker, this lays out a clear picture. First Nations consider this bill to be a violation of their constitutional rights. We—what response did we get from this Minister of Mental Health, Wellness and Recovery at the committee hearing to these assertions? Well, she actually had the audacity to mock the Indigenous leaders who had raised these complaints, who she failed to consult with by putting blame on them and saying this, and I quote: I'm here to assure you that you do have the ability to pass bylaws that override these provisions if you see fit. End quote.

*Mr. Doyle Pivniuk, Deputy Speaker, in the Chair*

Well, Deputy Speaker, the minister knows full well that many First Nations have already passed bylaws to regulate smoking and vaping. This bill, Bill 56, strips First Nations of their rights to self-govern, and the minister knows that full well. It is, frankly, insulting that the minister would make such a comment to First Nation leaders at the same time as she is actively working to strip them of their rights. It exposes the bad intentions of this government in their dealings with nations. There is absolutely no excuse for not knowing how First Nations' leaders feel about Bill 56.

The 'menter' health—Mental Health, Wellness and Recovery Minister and the Indigenous and Northern Relations Minister were both addressed in the letter from Grand Chief Garrison Settee on April 23rd, 2021. This is a Grand Chief, Deputy Speaker. But, again, it seems that the minister didn't even read it or did not even respect the authority of its author.

Whatever is true, I know that this government does not respect the authority of First Nations government, which is unfortunate. Grand Chief Settee, in his letter to the minister, outlines that they have sent three letters—three letters, Deputy Speaker—requesting that this bill be withdrawn immediately.

And here we are, once again, going full steam ahead and bulldozing, as the Pallister government likes to do, without any consultation whatsoever, which the Grand Chief also outlined in his letter. And I quote: Further to the release in the Legislative Assembly of the text Bill 56, the smoking and vapour control amendment act, on March 4th, 2021, and to MKO's letter to you dated March 9th, 2021, and to MKO's meeting with Minister Gordon on April 9th, 2021, to which Minister Clarke offered regrets, in which MKO requested that the bill be immediately withdrawn as your development—as the development in the tabling of the bill are very contrary to the Path to Reconciliation Act, MKO requested, for a third time, that Bill 56 be immediately withdrawn, as the only actual effect of Bill 56 would be to attempt to unilaterally impose the application of the smoking and vapour control amendment act on First Nation reserve lands. It is, frankly, astounding that Manitoba would develop and table this proposed legislation in the complete absence of any prior discussion with First Nations' engagement.

MKO is aware that Bill 56 was considered by the Committee on Social and Economic Development on April 12th, 2021, and has been reported to the

Legislative Assembly without amendment. MKO has reviewed the record of the committee proceedings and is aware that the bill proceeded to report without amendments despite every Indigenous presenter echoing MKO's call for Bill 56 to be withdrawn due to the failure to ensure that consultation took place before this bill was developed, introduced and given first reading, which MKO, again, says is contrary to The Path to Reconciliation Act. Grand Chief also had the opportunity to review the Hansard of Committee on Social and Economic Development on April 12th, 21–2021 and in the strongest possible terms objects to the gross and complete out-of-context mis-characterization by Minister Gordon on their discussion on May—on April 9th, 2021.

**Mr. Deputy Speaker:** Order. Order. I just want to remind the member to always address the—each member of the House as their title or their constituency name.

**Mrs. Smith:** Okay. Sorry about that.

Grand Chief Settee wants the record correcting the uniform First Nation and opposition asserts of a failure to consult by asking. We have—we had very good—and I'll quote: We had very good discussions with Grand Chief Settee. Grand Chief Settee and other MKO representatives firmly advised, as do other First Nation leaders like Grand Chief Arlen Dumas, who also presented at committee and was opposed to Bill 56, they have all stated that consultation after the fact does not address the failure to consult prior to the introduction of a bill, and they request that Bill 56 be withdrawn and that it not receive royal assent.

MKO is also deeply concerned about the fact that Bill 56 was introduced and given first reading on November 2nd, 2020, but the actual text of the bill was not distributed to MLAs or available to the public until March 4th, 2021, some four months later. Manitoba may be the only Commonwealth jurisdiction in the entire former British Empire that did not provide the text of the bill at the same time as, or very shortly following introduction and first reading, either by a customary practice [*inaudible*] oral.

In addition, MKO is deeply disappointed to have received a joint reply on April—or on March 25th, 2021 from the Minister of Mental Health, Wellness and Recovery (Ms. Gordon) and Indigenous and northern affairs relations which asserts that, and I quote: We feel that this bill is entirely consistent with reconciliation. End quote.



A reasonable person would conclude that the bill is not consistent with the definition of reconciliation in The Path to Reconciliation Act or as defined by the Truth and Reconciliation Commission. The Path to Reconciliation Act provides, at section 1(1), reconciliation refers to the ongoing process of establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous people in order to build trust, affirm historical agreements, address healing and create a more equitable and inclusive society.

Well, Deputy Speaker, that certainly does not fall under the truth—or The Path to Reconciliation Act. First Nation leaders have shared with me that there is nothing about the manner of this development, introduction and consideration by the Legislative Assembly of Bill 56 that is consistent with the concept and definition of reconciliation as set out. They ask for the bill to be withdrawn. They are not supporting it, and it will be constitutionally challenged. They ask them to start over from the beginning and to properly engage with First Nations in a process that is reflective of establishing and maintaining mutual respectful relationship that is consistent with The Path to Reconciliation Act.

The message from First Nation leaders is clear as day, and it comes from some of the highest levels of authority of Indigenous government that can be found. The minister is not sponsoring for health reasons. That's nothing more than a political ploy. The purpose of this bill is the same as the purpose of residential school, of the countless breakings of treaty, of every act of oppression against Indigenous people in this country. This bill is neo-colonialism in a nutshell.

So it's clear that the minister and the government care less what First Nations' leaders care about this bill and the legacy of oppression that it represents.

\* (15:30)

Maybe they'll care what a respected non-Indigenous institution has to say about this bill. The minister asserted that she's fighting for this bill because of her concerns for Indigenous peoples' health. It's patriarchal and condescending to imply that First Nations' governments can't care for their own people. But the minister seems to believe that her perception of health is more important. Even this argument falls apart when you realize that even the cancer care society has pulled their support for Bill 56 in response to the gross disrespect and lack of consultation with First Nations.

All the way back on March 22nd, Andrea Seale, the CEO of the Canadian Cancer Society, wrote, and I quote: I'm writing to inform you that the Canadian Cancer Society has withdrawn our support for Bill 56, the smoking and vapour control amendment act. We mistakenly assumed that consultation with First Nations in Manitoba had taken place.

It's not hard. Even the cancer care society made the honest mistake of assuming that this government would do the right thing and consult with First Nations. What was their response? To consult with First Nation leaders and respect their wishes by withdrawing their support for this colonial piece of legislation, which should be exactly what this minister is doing, withdrawing their support and scrapping it and starting over with consultation with First Nations.

No. But what are they doing? Full steam ahead again. This action shows utter disrespect to Indigenous people and Indigenous leaders. I wish I could say that I am surprised or shocked that this government is once again ignoring the wishes and the rights of Indigenous people and Indigenous governments. Of course, why would I be surprised? After all, this is the same government that killed any productive co-operation with Indigenous and Métis organizations, communities and governments as soon as it could.

I don't know if any member of this government are aware, but Indigenous people have been cultivating and using tobacco for over 2,000 years—millennia before this province or this country was founded. They do not need the Premier's (Mr. Pallister) help in deciding smoking laws in their communities.

I'd like to remember the—remind the members in this House that Indigenous nations do still exist. They are still here. They have their own governments. They have their own customs, laws [*inaudible*] that members of this House could learn a thing or two about governing from them.

I've been a member in this Legislature for almost four years now, Deputy Speaker. In my time in this House, I've noticed that whenever an unpopular, unilateral decision is made for Indigenous people by this government, they usually trot out the same excuse. The most common is that they've consulted with Indigenous people and made decisions based on what's best for them.

Consultation or no consultation, consent or no consent, it all seems to be decided by what this

PC government's agenda happens to be at any given moment.

We will not be supporting this bill, and this government should be ashamed of themselves for supporting such legislation without consulting First Nations. First Nations have the right to self-determination, including the inherent rights of self-government, and this bill strips their rights.

Miigwech.

**Mr. Ian Bushie (Keewatinook):** Before I begin—*[interjection]* the member from Point Douglas for very accurately, eloquently and passionately expressing our opposition on behalf of our caucus and also on behalf of all Indigenous peoples here in Manitoba.

But I will keep my comments brief, Mr. Deputy Speaker, in light of the time of the day and my member—and my colleague, my member from Point Douglas, covering a lot of what we want to say.

So let's be clear, though, Mr. Deputy Speaker. This is not a bill about health. It's about overreach. It's about dictatorship. It's about colonialism. And, ultimately, it's about disrespect. It's about this government's lack of and unwillingness to go down a path of reconciliation with First Nations peoples.

We have had heated debate on Bill 56, Mr. Deputy Speaker, and I was in the Chamber when it was introduced and it was discussed, and there was a lot of banter back and forth. And while you cannot hear those voices and they are not recorded in Hansard, the former Justice Minister at that time clearly yelled out: See you in court.

Mr. Deputy Speaker, legislation had not even passed and they already know that there will be legal challenges. So I ask: If there was proper consultation, why would you expect a challenge such as that? It's because you know it's wrong; you know it's overreach and you know you have no right. And, ultimately, the only financial investment this minister will make in regards to Bill 56 will be the cost of legal challenges. And how is that smart spending and smart investment on behalf of Manitoba?

I know the minister is new in her ministerial portfolio, but at the same time, misleading is still misleading. If you go into a community and have just a talk about any issue in particular—it doesn't even have to be a highly contentious issue. For example, if you have a discussion about the quality of artwork in the health centre, that does not mean you consulted in

the adequacy of the health centre, let alone so-called consulting after the fact. Consulting after the fact, Mr. Deputy Speaker, is just simply notification and that's exactly what this minister has done: notified, no consultation.

So, I know the Pallister government's MO is to play on words when it comes to this government's so-called consultations in—with First Nations, but it's not a play on words or definitions, it's absolute disrespect. By the minister's own admission, First Nation communities can draft BCRs and bylaws to override this terrible piece of legislation.

So the question to the minister is simple: why are you doing it? Why bring a bill forward with—by your own admission, can be made 'demoot'? And the answer is simple: it's because of this government's lack of desire and want to work with First Nation communities and clearly—and shows this government's lack of respect for and the inability to want and work in reconciliation with First Nation communities and Indigenous peoples. They would rather use their power to pick arguments and fights.

And I ask you: is that reconciliation? Absolutely not. As I mentioned, I know the minister is new to her role, but she is also not new to life. So I'm sure she can recognize when she is being used and being thrown under the bus by this Premier (Mr. Pallister), a Premier that won't be around to see the consequences of this terrible piece of legislation.

So I ask the minister and tell you, it's not too late to do the right thing and repeal Bill 56, because I know newly—being newly elected, you have every intention of being around this Chamber for a while, and you will have to answer for this terrible piece of legislation that are being brought forward.

So I encourage the minister and all members opposite to not simply toe the Premier's line and not do—and do what is right by all Manitobans. We all know the Premier won't be long here much longer to answer for all these terrible pieces of legislation.

So as an Indigenous person from a First Nation community, I ask the question: where does the so-called concern for First Nation on-reserve health suddenly come from? If the minister is so concerned, then where is the support for on-reserve diabetes programs? Nowhere. Where is the support for on-reserve healthy foods initiatives? Nowhere. Where is the support for on-reserve dialysis units? Nowhere. Where is the support for First Nation medical transportation? Nowhere. Where is the support for an

increase to front-line health-care workers in First Nations? Nowhere. Where is the support for on-reserve mental health programs? Nowhere. Where is the support for on-reserve addictions programs? Nowhere. Where is the investment in First Nation on-reserve health facilities? Nowhere, Mr. Deputy Speaker.

When these questions are asked, the pass-the-buck answer for this government is simply federal responsibility; we have no right, we have no jurisdiction.

And you know what? You're right. You're absolutely right. The bill—and Bill 56 is no different. You have no right, no authority and no jurisdiction.

Repeal this complete slap-in-the-face piece of legislation immediately.

Miigwech, Mr. Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** While we agree that smoking is a significant health concern and that lung cancer and various other cancers which result are very serious and should be taken seriously from a health perspective, we completely disagree with the approach taken by the government to impose this measure on First Nations without having consulted with them first and without having listened to them and partnered with them in bringing forward any measures.

It is particularly insulting that this government, when it came to municipal bills or bills which affected municipal governments, went out of its way to consult with people in the municipal community before bringing the bills in, but when it came to First Nations people and First Nations governments, this bill was introduced without previously doing any consulting. The process was disrespectful, it was wrong and it was a really bad decision by the government.

I can take members back to when the original bill was brought forward to ban smoking in public places—excluding, of course, First Nations communities. There was a task force which was set up that went out around the province—it was an all-party task force, I was on that task force—and we listened to people. And that listening to people and holding the discussion was very important to building understanding, to building consensus, to building a feeling that indeed this was necessary, and that was done, and it has made a big difference.

\* (15:40)

But this government felt no need to consult, to build understanding or to build consensus. It was—and is—a disaster. And it is very sad that it is now a disaster which the new minister, the MLA for Southdale, is owning.

It didn't need to be that way. The minister could still withdraw this bill. MLAs on the Conservative side—if they have integrity—could decide to vote against this bill, recognizing that it was very flawed in the way it was brought in, and completely wrong to do it that way, and against all principles of fair consultation, against all principles of establishing a pathway to reconciliation.

So I hope we will see, on the government side, some members go against their party and vote against this bill. If the members or MLAs there have any integrity at all, they will do so. I hope that will happen.

And, Mr. Speaker, those are my comments. I look forward to this bill not being passed. I look forward to it being not implemented. And I look forward—if it is passed and implemented—to it being struck down on a constitutional basis.

Thank you, merci, miigwech for the opportunity to say these words.

**Mr. Deputy Speaker:** Is there any further speakers?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** The question before the House is concurrence and third reading of Bill 56, The Smoking and Vapour Products Control Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

### Recorded Vote

**Mr. Matt Wiebe (Concordia):** A recorded vote, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** A recorded vote has been requested. Call in the members.

\* (15:50)

The question before the House is Bill 62, the—56, The Smoking and Vapour Products Control Amendment Act, and—concurrence and third reading of Bill 56, The Smoking and Vapour Products Control Amendment Act.

### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 32, Nays 21.

**Mr. Deputy Speaker:** The motion is accordingly passed.

\* \* \*

**Mr. Deputy Speaker:** Now we'll move on to—the time being 4 p.m., I am now interrupting debate to put the question on the remaining concurrence and third reading motions on the specified bills without further debate or amendment.

\* (16:00)

Except for the debate provisions allowed and—under rule 2(14), the House will not adjourn until all applicable questions are put and royal assent has been granted.

In accordance with rules, all matters of privilege and points of orders are to be for—deferred until the—after all these actions have been concluded.

The bills will be called in the order as announced by the Government House Leader (Mr. Goertzen). The remaining specified bills are as follows: 62, 63, 33, 41, 45, 37, 38, 46, 51, 58, 60, 61, 3, 8, 11, 21, 5, 6, 30, 32, 17, 15, 53, 20, 23, 22, 25, 34, 36, 52 and 55.

For each bill, the minister will move the motion and will be able to speak up to 10 minutes, followed by the official opposition critic and the independent Liberals, who can speak up to 10 minutes each.

### Bill 62—The Animal Diseases Amendment Act

**Mr. Deputy Speaker:** I will now call upon the honourable Minister of Agriculture and Resource Development to move and—concurrence of the reading motion of Bill 62.

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** I move, seconded by the Minister of Municipal Relations (Mr. Johnson), that Bill 62, The Animal Diseases Amendment Act, reported from the Standing Committee on Agriculture and Food, be concurred in and be now read for a third time and passed.

#### *Motion presented.*

**Mr. Pedersen:** This bill will allow our farms and food processors to continue to produce food—or, to produce world-class, safe and healthy foods in a humane way with amendments that will enable law enforcement to protect the safety of food, livestock and people.

The amendments to The Animal Diseases Act will protect farmers from persons who interfere with food production facilities that could result in harm to people, animals or the food supply and to ensure that biosecurity is protected on the farm and through transportation and processing.

Thank you, Mr. Deputy Speaker.

**Mr. Diljeet Brar (Burrows):** While we are debating a bill on animal health in this Chamber today, our human health-care system is failing to address the needs of Manitobans. Our intensive-care units are full. Patients are being sent out of province to seek health care. Transporting the patients in critical condition on highways is unacceptable, disrespectful and painful. I feel ashamed to have a government that failed to invest in our health-care system, and even today, they have no plan to fix it.

Coming to Bill 62, Mr. Deputy Speaker, Bill 62 talks about improving biosecurity in food production system, which is fair, but it goes too far to target the rights of protesters, the people who care about

animals, the people who care about fair treatment of animals, the people who raise their voices against animal cruelty at factory farms.

For example, a clause about animals in transport in this bill, this clause suggests to fine and punish someone feeding or offering water to animals in transport. Mr. Deputy Speaker, I was reading through a research report that publishes nearly 70 outbreaks in Canada along with the causes of the outbreaks. None of the incidences—and I repeat, none of the incidences—was found to be caused by animal advocates.

So why the government is targeting the whistleblowers and attacking their rights to protest? This is a question that needs to be asked.

There are many studies out there about the biosecurity protocols not being followed at poultry farms, pig barns, slaughterhouses and other factory farms, and there are already protocols in place regarding biosecurity in the food production system. All we need to ensure is to educate the workers and the farmers to follow those protocols. And education and departmental enforcement, these are the tools to be used to make that happen.

Let me share that I have worked with Manitoba Agriculture for a few years before getting into the Legislature. I or my colleagues didn't witness any complaints about biosecurity breaches during animal transport. While working at the Arborg Manitoba Agriculture office, the livestock producers will stop at my office to get eight verification certificates for their animals before taking their animals to auction marts. They had their transport trucks parked outside my office. They had no fear, no suspicion, no threat about their animals being poisoned.

That's the ground reality. I have seen it. I have experienced it. I have felt it. I don't know who, when and why told this government to bring in this bill.

I think this bill is a supply-driven bill. This bill is an intention to make people happy and secure their political support in rural Manitoba. That's the intention.

At committee stage, we had 20 presenters speaking against this bill, and the Ag Minister clearly refused to consider their concerns during the committee meeting. It was visible. Even after this, the government voted against the report stage amendments proposed by myself and the member from River Heights.

Mr. Deputy Speaker, once again, let me—clear that the NDP supports strengthening biosecurity protocols and safe food production in Manitoba, which is important. We also appreciate our livestock producers for putting food on our tables, and we request everyone in our food and ag industry to follow food safety protocols. But—Bill 62 does talk about biosecurity, but it goes too far, unnecessarily, to attack the rights of animal rights activists and tries to cover the cruelty happening at factory farms. That's why we are voting against this bill today.

Thank you, Mr. Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** We are now at third reading of this Animal Diseases Amendment Act. We believe that biosecurity is important, and we've seen in the pandemic the concerns that can exist from problems with biosecurity. The virus, which was initially in an area of Wuhan—there were not adequate measures taken, and it has spread globally and we have a major pandemic.

Now, there are diseases in pigs and in other animals which can also spread and cause havoc among animal populations and in some cases may spread to human populations. So we see that biosecurity must be taken very seriously, and we will support this bill.

\* (16:10)

However, we do not agree with measures which appear to be suppressing the ability of people to protest. Indeed, it has been raised with us that aspects of this bill are probably unconstitutional because they limit rights of peaceable assembly and that this bill is likely to be subject to the court challenge and it is likely to be struck down.

In the report stage, we moved amendments which would have sought to provide some reassurance to those who are protestors and for those who are concerned about what is happening with animal rights. And these measures would have reaffirmed the ability of individuals to assemble peaceably in public locations, so long as they're not disturbing the transportation of the animals. These measures—these report stage amendments—would have allowed people to take photographs of the truck and the transportation.

Both of these are reasonable and we believe that this bill should have been changed to include these measures and that these measures might have helped this bill to be seen to be more fair and more reasonable than it was and is under the original design.

*Mr. Dennis Smook, Acting Speaker, in the Chair*

So, while we have sought for changes and a compromise which would have meant that those individuals who are concerned about the health of animals and to ensure that they have rights and abilities to watch what's happening, there, of course, also needs to be appropriate inspections and care. But there remains an important issue of biosecurity. And because the biosecurity issue is of such importance at this juncture, as we're seeing with the pandemic, then we will support this legislation and vote yes.

Thank you, merci, miigwech.

**The Acting Speaker (Dennis Smook):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Dennis Smook):** I hear a no. *[interjection]* No? Okay. Agreed and so ordered. I-*[interjection]* Oh, sorry.

#### Voice Vote

**The Acting Speaker (Dennis Smook):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Dennis Smook):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Dennis Smook):** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote, Deputy Speaker.

**The Acting Speaker (Dennis Smook):** A recorded vote has been requested, call in the members.

Before we proceed with this vote, I would like to remind all virtual members that sitting in front of their cameras is the equivalent of sitting in your seats in the House. When a division is being conducted, members in the Chamber must remain in their seats until the vote is concluded and the result is announced. Similarly, virtual members should remain in front of their camera and keep their cameras on until the vote is conducted and the result is announced.

\* (16:20)

Thank you.

The question before the House is third reading and concurrence of Bill 62, The Animal Diseases Amendment Act.

#### Division

*A RECORDED VOTE* was taken, the result being as follows:

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Gerrard, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Lamont, Lamoureux, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Smith (Lagimodière), Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Kinew, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Wasyliv, Wiebe.*

**An Honourable Member:** Mr. Speaker, point of order.

**The Acting Speaker (Dennis Smook):** Order. Give us one second here.

**An Honourable Member:** My name was never called.

**The Acting Speaker (Dennis Smook):** In checking with the clerks, it's my understanding that you did not have your camera on when the bells stopped, and if your—

**An Honourable Member:** That is not correct. My camera was on when the bells stopped.

**The Acting Speaker (Dennis Smook):** We will resolve this. They have taken it under advisement, and they will see what they can—they will check into that for you.

**Deputy Clerk (Mr. Rick Yarish):** Yeas 34, Nays 17.

**The Acting Speaker (Dennis Smook):** The motion is accordingly passed.

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**The Acting Speaker (Dennis Smook):** The honourable Minister of Infrastructure (Mr. Schuler), they have a screenshot on here to determine who is in front of the cameras taken at the moment the bells stop, and the honourable minister's camera was not on.

**An Honourable Member:** On a point of order, Mr. Speaker

### Point of Order

**The Acting Speaker (Dennis Smook):** On a point of order, the Minister of—the honourable Minister of Infrastructure.

**Hon. Ron Schuler (Minister of Infrastructure):** I believe my camera was on, Mr. Speaker, but if that was the screenshot, I wish the record to stand that I would be voting for this piece of legislation.

**The Acting Speaker (Dennis Smook):** It's not a point of order, but we thank the minister for his concern.

### Bill 63—The Petty Trespasses Amendment and Occupiers' Liability Amendment Act

**The Acting Speaker (Dennis Smook):** I will now call upon the honourable Minister of Justice to move concurrence and third reading motion for Bill 63.

I will now recognize the honourable Minister of Justice.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** Mr. Acting Deputy Speaker, I move, seconded by the Minister of Agriculture, that Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

### *Motion presented.*

**Mr. Friesen:** Mr. Acting Deputy Speaker, I'm pleased to rise and put a few words on the record in respect of Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act. This is essentially a bill that is designed to recognize that rural Manitoba residents are affected by crime and that they matter.

As a matter of fact, in debate I was able to share that in 2017, the rural crime rate was 42 per cent higher in Manitoba than the urban crime rate. This is a bill that addresses that inequity based on a very significant stakeholder consultation that involved stakeholder groups, Indigenous leadership from across the province of Manitoba and other concerned citizen groups.

I can tell you that Bill Campbell from the Keystone Agricultural Producers said in committee that, overall, this is a step in the right direction and KAP will continue to highlight the need for written permission to enter the private property. He also called this bill an appropriate measure to address trespassing that shifts responsibility from the landowner to the trespasser.

\* (16:30)

In short, Mr. Acting Deputy Speaker, what the bill does is, it—where previously it was an offence of trespassing only if you entered into a premises or a property that was fully enclosed by a fence, now the bill is designed so that a property that is marked or partially enclosed, there when a person enters into it without permission, that would constitute trespassing. And also, trespassing occurs if in a category of property that is not normally available to members of the public.

Also, I would say this bill, one of its benefits, Mr. Acting Deputy Speaker, of course, is that it reduces the likelihood for a negative interaction, it reduces the likelihood for an escalation because what it does is it takes away the obligation for a landowner to verbally confront someone on their property and to demonstrate to them that this is their property and they shouldn't be there. In this bill that measure is removed, as is the authority of a landowner to conduct or to perform an arrest. The removal of these two measures allows for a much more reasonable, less antagonistic framework for interaction.

And then finally, Mr. Acting Deputy Speaker, these amendments also incorporate in amendments to the occupiers' liability whereby essentially what we have said is that anyone who is on a premises for the purpose of committing a criminal act, that they have a limited duty of care afforded to them by the landowner, which is reasonable.

I would want to reinforce, Mr. Acting Deputy Speaker, that in no way does this—do these amendments impinge on or override the rights of First Nations and other Indigenous peoples to exercise Indigenous hunting, trapping, or fishing rights on lands where Indigenous and treaty rights can normally be exercised.

Thank you, Mr. Acting Deputy Speaker.

**Ms. Nahanni Fontaine (St. Johns):** Well, we had quite a debate on second reading of Bill 63, the petty trespassers amendment and occupiers' liability amendment act, and as I have said many times in this House, Bill 63—you can't look at Bill 63 divorced from other bills that are a part of the current legislative sweep of the Pallister government.

For instance, you can't look at Bill 63 without looking at Bill 62. You can't look at bills 62 and 63 without looking at Bill 57. All of these bills are meant to restrict the movement of Manitobans who are

seeking justice or remedy, and so Bill 63 is a part of that.

And, you know, we heard from folks at standing committee, and we heard from lots of landowners. And the notes that the landowners had, I don't know if the minister shared them or whatever, but it was a theme. And the theme of the presentations that occurred at standing committee was that there's an increase in rural crime, and this increase in rural crime demands that the Pallister government give more power to landowners.

And every single presenter that I asked the question, has there been any issues on your land, i.e., have you come into contact with anyone who has come on your property meaning you harm. And every single one of the presenters said no. They said no, we haven't had that experience; in fact, nobody's come onto our property and wanted to do us harm.

And so, but they said—all of them said—this is preventative. But the—it begs the question: preventative of what? If it's not happening, what the minister and his ilk are trying to present and feed and peddle to Manitobans—if it's not happening, then how can it be preventative? How can you be preventing something that in fact is not happening? And that is what Bill 63 does.

And it, you know, specifically, while it's not in the text of the legislation, per se, Deputy Speaker, Bill 63 is meant to keep Indigenous peoples off our territories. And why? Because there is this social construction of Indigenous peoples as dangerous, as criminal. We've heard the Premier (Mr. Pallister) say it. We know that he's called young Indigenous men all criminals, and so this bill is predicated on a fallacy, a racist fallacy—

**The Acting Speaker (Dennis Smook):** I would just to remind the member; I'd mentioned yesterday about producing, like, props or whatever—

**An Honourable Member:** These are my notes, Deputy Speaker. I'm not producing any props—

**The Acting Speaker (Dennis Smook):** Okay. That's fine.

**An Honourable Member:** —this is the bill, and so—

**The Acting Speaker (Dennis Smook):** The member for St. Johns.

**Ms. Fontaine:** So Bill 63 was established, created, imagined from, really, landowners' fear—irrational fear—of Indigenous peoples on our own territories.

More specifically, Acting Deputy Speaker, Bill 63 is born out of the shooting death of Colten Boushie. It's born out of a shooting death where a white landowner shot and murdered an Indigenous young man and was supposed to be held accountable, was charged, went to court. But, unfortunately, we live in a country where, you know, systemic racism within the judiciary doesn't allow for justice of Indigenous peoples.

So I wanted, my final opportunity to speak to Bill 63, to make it explicitly clear that Bill 63 is a racist piece of legislation and it is born out of a racist social construction of Indigenous peoples in our territories.

And while the minister says that Bill 63 somehow magically is going to prevent any negative interactions between landowners and any folks who come onto their land, that's not true. Essentially, what the bill is saying, as soon as I step onto your land, knowingly or unknowingly, I'm guilty. I'm guilty right away and everything is in—the power is in the hands of the landowner. That's what this bill does. This bill cements the colonial context of this country and certainly the colonial context of Manitoba in respect of lands, and just cements it even more for landowners and against Indigenous peoples.

So, for all of the false rhetoric that the minister gets up in this House and tries to peddle to Manitobans, let me today disabuse him of that and let me today ensure that Manitobans know that this government, this Pallister government and his members, are putting forward—and as of, I guess it's going to be, I don't know, 10:30 around tonight, May 20th, 10:30 tonight all of these laws will become—will receive royal assent. All of these bills will receive royal assent and will become law tonight.

And that is, as I said yesterday, a dark day for Manitoba in the same way that Bill 56 just passed third—concurrence and third reading and will also receive royal assent at 10:30-ish tonight. It is a dark day.

And, you know, the very definition of colonialism is when the state continues to participate in activities knowingly, methodically, strategically, legislatively, on issues against Indigenous peoples, and that is what Bill 63 does.

\* (16:40)

And I'm going to reiterate the comments of my colleague, the member for Keewatinook (Mr. Bushie) and myself. Let it be known that on May 20th at



4:39 p.m., if there is an Indigenous person—if there is an Indigenous person who accidentally or knowingly comes onto the property of a landowner and is shot and killed, it will be on the shoulders—it will—that responsibility will fall on the shoulders of the Justice Minister; that responsibility will fall on the shoulders of the Premier (Mr. Pallister); and that responsibility will fall on the shoulders of every single one of the PC caucus.

Miigwech.

**Hon. Jon Gerrard (River Heights):** While we supported Bill 62 in the interest of ensuring a strong approach to biosecurity, we do not support this. We believe that this legislation, this amendment to the petty trespassers act, goes far beyond what is common sense, and I will take you through—take members of this Chamber—the reason for this.

We have recognized not only in Manitoba but in Ontario that the petty trespassers act has been used to ban people from going to visit their loved ones in personal-care homes. This is an act which can very easily be badly misused if one is not careful. And that is where we start: that one has to be very careful with this legislation or it can be very badly misused.

In this legislation, we tried to suggest four amendments to the government which would have taken some of the nonsensical components out of this legislation. Under this amendment, it is now an offence, all right, to walk on your neighbour's residential lawn without their permission. This is an offence which is subject to a fine of up to \$5,000.

Now, are we going to fine postmen who walk across lawns in Winnipeg? Are we going to fine children who walk on their neighbours' lawns to play? This is ridiculous legislation. It should not have passed any sort of common sense filter that should've been present and demonstrates that the government is lacking some common decency and common sense.

The second area that we suggested an amendment was where the bill creates an exemption for people using a pathway to the door of a building, and that is good and is reasonable. We suggested that it not be just a pathway but that it also include a road to make it very clear that a person could drive up on a road in a rural area to somebody's home and that that would not be an offence. That was reasonable to us to eliminate problems with people driving into their—up to their—visit their neighbours. You know, this is beyond common sense to not include roads as well as pathways or sidewalks.

Next, we included a mention—an exemption for individuals who unintentionally entered land. We think that this is reasonable, particularly given that this is new legislation; a lot of people will not have heard that it's now going to be an offence to walk on your neighbour's lawn. It's reasonable in the urban as well as a rural context to put in this legislation an exemption for people who unintentionally enter the land or walk up on somebody's lawn.

The fourth amendment we put in had to do with ensuring that Indigenous persons could exercise their Aboriginal and treaty rights. Now, the minister has said that this does not take away from any Aboriginal or treaty rights, but the bill does not say so. And the bill doesn't have reasonable measures within it to protect or exempt Indigenous people who are exercising their Aboriginal and treaty rights. It is not common sense to not put that in there to make sure that it's very clear, as it should have been.

And the last comment I want to make has to do with a situation of individuals like Colten Boushie, who entered into land, and in doing so, his purpose was mistaken and he was shot. We do not want people shot in Manitoba because of petty trespassing. We do not want situations as have occurred in the case of Colten Boushie in Saskatchewan.

So, we are not supporting this legislation. We will vote against it. We will vote against it because this legislation doesn't meet a standard criteria of common sense which legislation should meet, and it may—by its passing—create a situation where it puts people in danger, in danger of death in—given past experience.

So we are strongly against this legislation. And this has nothing to do with being against farmers or rural people; it has everything to do with the fact that this legislation is not a piece of legislation which makes common sense and we think that legislation should be sensible and not overreach, as this legislation does.

So, thank you, Mr. Speaker, merci and miigwech.

**The Acting Speaker (Dennis Smook):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Dennis Smook):** I hear a no.

**Voice Vote**

**The Acting Speaker (Dennis Smook):** All those in favour of this motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Dennis Smook):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Dennis Smook):** In my opinion, the Yeas have it.

**Recorded Vote**

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote.

**The Acting Speaker (Dennis Smook):** A recorded vote has been called. Call in the members.

\* (16:50)

The question before the House is Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act—oh, sorry—concurrence and third reading of Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act.

**Division**

*A RECORDED VOTE was taken, the result being as follows:*

**Yeas**

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Squires, Teitsma, Wharton, Wishart, Wowchuk.*

**Nays**

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 32, Nays 21.

**The Acting Speaker (Dennis Smook):** The motion is accordingly passed.

\* \* \*

**The Acting Speaker (Dennis Smook):** Before we move on to the next bill, I want to take a moment to remind all honourable members that as we are on a

deadline day and it is after 4 o'clock, under rule 2(14), all matters of privilege and points of order are deferred until after royal assent this evening.

I am—'inverently' recognized the member earlier on a point of order, but that was incorrect, and no further points of order or—on any topic will be heard until later this evening.

**CONCURRENCE AND THIRD READINGS—  
AMENDED BILLS****Bill 33—The Advanced Education  
Administration Amendment Act**

**The Acting Speaker (Dennis Smook):** I will now call upon the honourable Minister of Advanced Education, Skills and Immigration to move concurrence and third reading motion for Bill 33.

\* (17:00)

**Hon. Wayne Ewasko (Minister of Advanced Education, Skills and Immigration):** I move, seconded by the Minister of Economic Development and Jobs (Mr. Eichler), that Bill 33, The Advanced Education Administration Amendment Act; Loi modifiant la Loi sur l'administration de l'enseignement postsecondaire, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

**Motion presented.**

**Mr. Ewasko:** I'm pleased to rise today for the third reading of Bill 33, The Advanced Education Administration Amendment Act. This bill amends The Advanced Education Administration Act to be more responsive to changing institutional needs in a few key ways. With the changes, the legislative formula for maximum annual tuition increases will be replaced with a flexible, policy-based approach. Existing oversight over tuition increases will be expanded to include tuition on any other fees set by boards of governors.

For clarity, this will not include fees set by, or payable in respect of, a student union or student association of a university or college. A committee stage amendment added to the legislation reinforces this distinction—[interjection]

**The Acting Speaker (Dennis Smook):** Order. Stop the clock. We don't know what happened there, but, yes, I'd just like to remind all members to make sure they have their microphones off because it can cause issues like we just had.

So, the honourable Minister of Advanced Education, Skills and Immigration (Mr. Ewasko).

**Mr. Ewasko:** Thank you, Mr. Acting Deputy Speaker. Hopefully, you can hear me all right. So I will continue.

So, again, at committee stage, we brought forward an amendment to the legislation that reinforces the distinction.

While the tuition formula only applied to universities, new guidelines will apply to all of Manitoba's publicly funded post-secondary institutions. The increased flexibility of a policy-based approach will provide oversight to universities and colleges to ensure post-secondary education in Manitoba remains affordable and accessible while also considering the financial sustainability of colleges and universities and the unique needs of different institutions and program types.

The use of a policy-based approach is also consistent with what is in place in all other Canadian jurisdictions, supporting our ongoing efforts to increase harmonization. These changes are a necessary part of accomplishing our strategic priorities with respect to post-secondary education in Manitoba and will help our students continue to enjoy the lowest tuition rates west of Quebec.

High-quality, affordable education helps to build the skills and talent needed to ensure student success and sustained economic growth. For this reason, flexible and responsible oversight of our institutions is needed as we work to emerge from the pandemic and plan for the future.

I look forward to continuing to work with all of our post-secondary education partners to make sure that our post-secondary education tuition and fees remains among the lowest in this great country of Canada.

Mr. Acting Deputy Speaker, I'd like to thank you.

**Mr. Jamie Moses (St. Vital):** I'm pleased to be speaking on this bill but, frankly, displeased that this bill is being brought forward to this House because I think it does quite a lot of damage to our post-secondary system and our post-secondary institutions in our province. And with respect to the other bills that we're debating that have been already debated today and the ones that will be debated, I might go as far to say that this bill might have the largest negative impact out of all the bills that we're debating today.

When you look at the impact on the vast number of students that attend our post-secondary institutions, colleges and universities; when you look at the impact—the economic impact—that our universities have, colleges have on our economy; when you look at the professors and the faculty and staff; when you look at the ability for colleges and universities to attract outside-of-the-province talent and employment and people to come and study and work and live in Manitoba and you put that all at risk with a bill like Bill 33; that, quite frankly, changes the fundamental nature and independence of our post-secondary institutions.

Let's be clear about Bill 33: it gives the minister sweeping powers over tuition, to control tuition fees, control student fees. As the minister mentioned, it was amended to not include student union—student fees but other student fees are still included. And it gives the minister ability to control whether those fees are 'compulsory' or not.

As well, it removes tuition caps, giving the minister a free pass to change tuition to whatever level he sees fit. And again, it—the big thing that I'll get to is it establishes different classes of tuition, where the minister could choose to charge one program higher level of tuition than another program.

These are all very disturbing because it just puts far too much power in the hands of the minister's office and takes it away from our independent institutions, our independent colleges and universities that have a right to determine their own ability to run their institutions and run their programs for students.

And it's—not only is it disturbing but it'll have destructive consequences for the way our post-secondary institutions run and what programs will be offered for students.

I'll first get into the section about—the fact about how this bill came about. You know, when we look at bills that are going to go help Manitobans, we think about, you know, consulting and talking with, you know, people, students, faculty members, staff who might be impacted by a bill when it comes to post-secondary.

This bill fails that test. Before its creation, there was no consultation in terms of addressing students' needs or what they would look for in a change to post-secondary, nor was faculty consulted or other staff. Or—and you look at the outcome of that and you get a bill like 33 that, by the minister's own admission, had some errors in it, had some mistakes, wasn't properly

written to be clear enough, have clear enough language in it, so that it could be understood from what it really intended to do.

And that's why the minister admitted himself that it needed to be amended. And so, you know, after—at that point and after the strong advocacy work by many student groups in our province—and good for them for doing that advocacy work—the minister was able to amend the bill to at least hear their concerns from the student unions' perspective. So I commend the student unions for their work in advocating for students' best interests in our province.

But that consultation only happened after the fact and it was by the instigation of those student groups. And still, faculty was left out of that table. And, you know, in our public hearing meetings where public members said words like this bill was authoritarian; they said things like it was—it puts institutions beholden to the government; when they said things like this bill is just smoke and mirrors. You know, this is the words that were coming out of public members at a public hearing.

The minister repeated that he would be consulting with members but yet, when I put forward what I felt was a pretty reasonable amendment to the bill, that as the minister said he wanted to consult, I said: let's put it right in the bill and have it right in black and white where people can see that the minister will have to consult.

No. The minister voted against that amendment and refused to put in writing that he would consult. I think that shows his true intentions; that, perhaps he has no plan of consulting when he makes these guidelines to student fees or tuition fees. I think if he was serious about that, he would be able to put the proof in the pudding and actually show people; but he failed to do those. So I think we're all left with the true answer about the minister's intention on Bill 33.

\* (17:10)

When it comes to tuition, as he said, the tuition caps were removed. And if we look at the track record of this government, raising tuition fee by—twice during the pandemic, over—about 20 per cent or more since the start of this Pallister government, in some cases. And that is directly because of funding cuts to our post-secondary institutions. Year after year, funding has been cut from our institutions. And, again, this year almost \$9 million was cut from post-secondary institutions; the funding grant was cut.

And this is the legacy. This is the government that is making these cuts and saying that, oh, trust us, trust us that we'll be able to keep low tuition. And I'll remind the minister, as he claims that we have low tuition, that the low tuition we have is because of the policies of the previous NDP government to keep tuition low and—in despite of the constant tuition increases by the current Pallister government. Again, the low tuition we have now is in despite of the current Pallister government and it's despite of the current minister's decisions.

I'll shift over to the last topic I want to touch on, and this is a big one, I think. This is where this bill 'deslabilishes' different classes of tuitions. And if you're not familiar with that, it gives the minister ability—the ability to create classes of tuition, meaning that a liberal arts program, for example, could have one set of tuition or different than business or engineering have a different class of tuition. The minister could at that point raise and lower tuition at whatever level he sees fit.

Now, when I asked the minister, what really defines this? Can you tell me—us more because that term—class of tuition—is not clear. Tell us what that means. Does that mean a faculty? Does that mean a certain program or department or even a course? It's intentionally vague. It doesn't define it. Does it mean the minister could literally choose which program, which particular course is the tuition is raised on?

Well, according to this, if he defines it as in regulation or in policy so narrow, it could be. It could be as broad as a program or could be as narrow as an individual course. It's not defined in this, and it gives the minister far too much ability to play inappropriately with a way our institutions are run.

And, again, this isn't done consistently across institutions. He could raise tuitions in one arts course at U of M differently than the arts course at U of W. And, again, this could be, again, controlled very inappropriately by the minister at that level. And so it's very worrisome about the direction that our post-secondary institutions could be heading with the track record of a government who's consistently underfunded universities, interfered with their negotiations with faculty and had tuition raised again and again and again.

I'll just end by—the outcome that we've seen in other jurisdictions as a result of this type of differential classes of tuition is that sometimes the programs that get the higher tuition is seen as a more exclusive program or available to only higher income

students, and it becomes—and the other programs with the lower tuition becomes programs for low-income students, and therefore these programs end up adding to the class divide in our society, adding to income inequality in our society and furthering the gap between rich and poor. And this is exactly the opposite goal that our public post-secondary institutions should have. They should be levelling the playing field, not making it wider, and that's why this bill is so dangerous.

This minister should really look at the fine details of this program and be amending this bill today because this bill is very dangerous and could have long-lasting negative consequences in our province.

Thank you very much, Mr. Deputy Speaker, for your time to speak to Bill 33.

**The Acting Speaker (Dennis Smook):** The honourable member for River Heights (Mr. Gerrard)—sorry.

The honourable member for Tyndall Park.

**Ms. Cindy Lamoureux (Tyndall Park):** Thank you, Mr. Deputy Speaker, and thank you for allowing me the opportunity to just put a few words on the record here about how Bill 33 is such a tangible example of how this government does not believe, clearly does not believe, how our students should be at the forefront of education decisions.

You know, over the last five years, this government has really established a pattern around education. They took away tuition rebates, first and foremost, and tuition rebates is something that many, many students across the province really relied upon.

These tuition rebates were often used as down payments on houses, for down payments for vehicles, to pay off school and student debt. It was one thing that we were able to do, as elected officials, to help students get their feet on the ground running after post-secondary education. And instead, this government took the tuition rebates away, and further to this, they decided to raise tuition fees just on top of that.

*Mr. Len Isleifson, Acting Speaker, in the Chair*

This government also started to charge international students more fees for health care, and I believe international students are being taken advantage of, here. We want to be encouraging international students to come to Manitoba. It's why we have such a rigorous post-secondary education placement in the first place. And by adding these extra barriers for international students who already have to pay almost

five times more than the average student, it is deterring international students from coming to Manitoba, from studying in Manitoba, something that really helps Manitoba thrive and prosper.

And lastly, Mr. Deputy Speaker, just to add to this pattern—prior to the pandemic, we heard about post-secondary institutions being forced to make cuts. And this really came out of nowhere. The government just said, one day, okay, all post-secondary institutes, find departments in your institution and try to cut up to 30 per cent, sorry-not-sorry type of attitude.

And now Bill 33. It's the latest piece of post-secondary education legislation where Manitobans have spoken out very clearly opposing this legislation, because students were not consulted. And all MLAs in this House are aware of this process because the students were loud and clear and took the time to meet with all of us MLAs and spell it out for us.

Students were not consulted and have expressed feeling that this government is overreaching in their power. Mr. Deputy Speaker, it makes no sense that the minister would be the one making decisions as to how student fees would be distributed. It should be students making these decisions, because they are the ones utilizing the resources and paying into them.

You know, student fees go into health plans, therapeutic services, child care, student groups on campus, community groups, gym passes, parking—the list is endless and dependant on the students and the post-secondary institution. And I'm willing to bet that students are more acquainted with these resources than the minister is.

So there are parts of this legislation that we disagree with to—such as removing the provision that ensures we would have the lowest tuition fees in western Canada, as there's only one way to interpret this: the minister wouldn't be removing this provision if he intended for it to remain the same.

So, from past experience, from noting this pattern that we've identified with this government over the last five years, we don't have much faith in this government's decisions towards education. We're nervous of what it's going to do to our education system, and I'm not confident that this minister should be in charge of how this money should be distributed. And we will not be supporting this legislation moving forward.

Thank you.

**The Acting Speaker (Len Isleifson):** We have one more speaker. *[interjection]* Okay, thank you, folks.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Len Isleifson):** I hear a no.

#### Voice Vote

**The Acting Speaker (Len Isleifson):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Len Isleifson):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Len Isleifson):** In my opinion, the Yeas have it.

#### Recorded Vote

**Mr. Matt Wiebe (Concordia):** A recorded vote.

**The Acting Speaker (Len Isleifson):** Recorded vote having been requested, call in the members.

\* (17:20)

The question before the House is concurrence and third reading of Bill 33, The Advanced Education Administration Amendment Act.

#### Division

**A RECORDED VOTE** was taken, the result being as follows:

#### Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.

#### Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

**Clerk (Ms. Patricia Chaychuk):** Yeas 31, Nays 21.

**The Acting Speaker (Len Isleifson):** Motion is accordingly passed.

\* (17:30)

#### CONCURRENCE AND THIRD READINGS

*(Continued)*

#### Bill 41—The Fair Registration Practices in Regulated Professions Amendment Act

**The Acting Speaker (Len Isleifson):** I will now call upon the honourable Minister of Economic Development and Jobs to move concurrence and third reading for Bill 41.

**Hon. Ralph Eichler (Minister of Economic Development and Jobs):** I move, seconded by the member for Advanced Education, Skills and Immigration, that Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a third time and passed.

*Motion presented.*

**Mr. Eichler:** I'm pleased to rise today for the third reading of Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act. This bill will help ensure that qualified internationally educated applicants to the 30 regulated professions under this act are able to achieve registration in their professions timely and fairly.

We have seen during the pandemic how important internationally educated professions are to our—Manitoba's workforce. However, we have also seen how difficult it can be to get these individuals, who are ready and willing to work, licensed to practise in their profession.

Our government recognizes the value of self-regulation and regulators' role in protecting Manitobans through access to safe and expert service from licensed professionals. Self-regulation ensures that experts in their field set standards and determine qualification requirements.

We also recognize the contribution internationally educated professions bring to our community and what is involved for both newcomers and communities if we fail to ensure access for people to 'participate' in their professions. Our government recognizes the importance of our respective roles in protecting Manitobans through transparency and fairness.

This bill was drafted in recognition of the need for professionals to review their licensing practices to

ensure they are working as intended for internationally educated professionals. New duties and requirements provide direction for this effort. We drafted it with the belief we can be doing better without compromising standards and public safety.

The amendments included in this bill will make a real difference in the time it takes to get internationally trained applicants out into our job market and 'futilely' utilizing the skills and training they worked so hard to earn. This'll benefit not only these individuals but all Manitobans.

I look forward to the passage of this bill.

Thank you, Mr. Acting Deputy Speaker.

**Mr. Jamie Moses (St. Vital):** I just want to begin by maybe perhaps correcting a bit of what the minister said, just based on my own consultation in regards to this bill and my conversations with many internationally educated professionals, specifically nurses. And the minister made a comment saying that part of their job is to make sure that they help people get—ensure getting ready, getting people ready and willing to work. And now, from my conversations, these people are more than willing to work and, in many cases, they are ready to work.

It's just that our provincial system has so many barriers in front of it that these people are sometimes so stuck with navigating the complicated process of getting licensed in—through a professional designation. The system is so difficult and challenging and many of these individuals face barriers that it's hard to describe how many problems our system has.

You know, and hearing stories from internationally educated nurses talking about their struggle with passing a language test that they had once passed, but it has a time-limit expiry on it that they have to take it—another test again, but yet that test isn't offered.

Struggle with—they've passed certain requirements, but the courses that they are looking to take on, again, are only so many spots limited due to provincial funding cuts to our post-secondary education system, that courses aren't always offered for them to go through and—completing their education.

Barriers such as the fact that when they are trying to pass certain tests and maybe they aren't successful in the first time, they're not provided any feedback on where they made mistakes so that they can correct themselves and educate themselves so they can advance their own skills and knowledge to pass these tests later on.

These are all barriers that our system has, and these are just to name a few of where so many internationally educated professionals are trying to seek employment. They're willing and they're ready to do so, but the barriers they face are so steep and so hard that it is a real, serious challenge for them.

And Bill 41, it goes to—attempts to clarify and remove some of these barriers, but the reality is that it does not go far enough. It really doesn't.

I know that some of the issues with this—with the current system is in regards to the Fairness Commissioner which this bill removes, and I've heard that the Fairness Commissioner doesn't go far enough or doesn't have the ability to really act fair enough when it comes to regulated professions.

But this bill proposes changing that position to a director and, again, doesn't offer that director position any real teeth or any real authority to enact the change. It's simply making the current problem a different problem, not really solving it or giving these folks a different avenue or a better avenue for navigating the system.

\* (17:40)

When you look at how this bill will give the minister the ability to put penalties on regulators that are not in compliance, well, the issues with that are many in terms of—it does not really—properly giving these regulators the incentive they need to reduce some of the barriers.

And if it does, often it'll be reduced after the fact, after people have already faced the barrier and been set aside in their career goals. And perhaps at that point, these individuals may have left the province as we've seen so often recently with our net out-migration being 10,000-plus in just the recent year. And that net out-migration provincially is because of reasons like this, because of the barriers that internationally educated people are facing.

And Bill 41 doesn't go enough—doesn't go far enough to really address these problems. It speaks about—we hear the language about making sure there's fair practices and its fair registration for these workers.

But addressing the barriers such as the cost for some of these programs, such as the number of people who can be—who can go to these courses, such as ensuring that internationally educated workers are actually—know how to navigate the system. There's a clear pathway and information set that they can

receive to know how to go through the system, that the rules aren't going to just change on them and that they have a regulated profession that knows how the system will work so that they can use that to navigate through them and a post-secondary system to match, that the courses offered in our post-secondary system are going to match what the regulator is actually going to be looking to have certified through their professional organization.

Now, these—all these things need to happen to—so that our system can be smooth for internationally educated individuals. But Bill 41 doesn't address these issues. It doesn't address these issues. And that's why we think that Bill 41 can be part of a much better legislation, except the much better part just isn't there. And that's the part that we would want to see really added onto this bill. And we really, you know, hope that, you know, if this government is serious about increasing internationally educated professionals that they look at how to address breaking down some of those real barriers.

Now, I did mention that I have conversations with internationally educated nurses. And I did just want to take a minute to thank them for my conversations with them, and I know I met them and they described many of the barriers that they face, and I appreciate that from them.

I also want to thank about—thank all the other nurses and health-care professionals that are in our province working so hard during this third wave of the pandemic. We've seen cases rise every day. We've seen the test positivity rate. We've seen, sadly, Manitobans who need and require ICU care have to travel out of our province to Thunder Bay to receive that care—the care that we know they should have received at home. We're—we are so saddened to hear these stories.

And we're even more sad because this should have been preventable. We know that it was a failure to plan and a failure to prepare and be organized for this third wave that is causing such a limited capacity in our ICUs and throughout our health-care system, that this Pallister government has failed our health-care system and failed Manitobans who need the help the most during this third wave of the pandemic.

And so, Mr. Deputy Speaker, I want to just finish by saying that we wished so much more out of Bill 41 because we know how important—these nurses could play to increasing our capacity during this third wave of the pandemic and how many more jobs we could be creating by ensuring that internationally educated

professionals can work in our province and how much our economy will grow and how much our society will benefit if we allow people who have been trained in other jurisdictions—in international countries—the path, a smooth path to transition to become workers here in our province of Manitoba.

Thank you, Mr. Assistant Deputy Speaker.

**Ms. Cindy Lamoureux (Tyndall Park):** I'd like to thank the minister for bringing forward this legislation. Bill 41 is all about creating more opportunities for people to be able to practise their profession, and we absolutely want to support this.

Right now, we know that Manitoba could be doing a much better job at recognizing credentials and providing platforms for people to contribute to our economy. As many Manitobans and many members of this House are aware, there are hundreds of thousands of immigrants here in Manitoba who are qualified in their country of origin to practise medicine or to be a certified engineer—and these are just a couple of examples, Mr. Deputy Speaker—yet here in Manitoba, their education and experience is not carrying over through the system.

I believe that there is a better way to do this and ensure that credentials are being recognized in a more organized and thorough way, and that residents of Manitoba can practise in their career fields of choice and study.

Mr. Deputy Speaker, currently, some individuals wait years only to find out that they have to go renew certain parts of their education or, in some cases, start from scratch. This lengthy process is taking away from our economy and everything people have to offer. This has been extremely highlighted during the pandemic as we have had thousands of trained nurses and doctors and care providers, as well as educators who are exceptionally skilled and trained individuals yet they're not being allowed to work.

So we need to be doing better. We need to do what we can to better regulate and better understand situations and individual scenarios. And just one way we could do better by this is by reviewing cases on a case-by-case basis to ensure that we are furthering our economy and the livelihoods of Manitobans the best possible way we can.

I still think that there is so much more we can do, small and big things, and I see this as a small positive step forward. So we are happy to support this legislation and want to encourage the minister to do more on this.



Thank you, Mr. Deputy Speaker.

**The Acting Speaker (Len Isleifson):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**The Acting Speaker (Len Isleifson):** Agreed and so ordered. [*interjection*]

The Official Opposition House Leader.

**Ms. Nahanni Fontaine (St. Johns):** I said no.

**The Acting Speaker (Len Isleifson):** Oh. I'm—you—I—okay, sorry, I did not hear that. But there was a no.

#### Voice Vote

**The Acting Speaker (Len Isleifson):** So all those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Len Isleifson):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Len Isleifson):** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division.

**The Acting Speaker (Len Isleifson):** Okay. The motion is accordingly passed, on division.

#### Bill 45—The Public Schools Amendment and Manitoba Teachers' Society Amendment Act

**The Acting Speaker (Len Isleifson):** I will now call upon the honourable Minister of—oh, one moment please—the honourable Minister of Education, to move concurrence and third reading motion for Bill 45.

I will now recognize the honourable Minister of Education.

**Hon. Cliff Cullen (Minister of Education):** I move, seconded by the Minister of Advanced Education, Skills and Immigration (Mr. Ewasko), that Bill 45, The Public Schools Amendment and Manitoba Teachers' Society Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

#### *Motion presented.*

**Mr. Cullen:** I'm happy to have the opportunity to bring Bill 45 to third reading. The current bargaining process involves 38 separate bargaining units, each

negotiating at the local level. We have seen time and time again that once one school division has negotiated a deal, the rest have followed suit. This has resulted in significant waste of time and is not getting value for money for anyone, especially our children. This keeps teachers and staff busy when they should be focusing on ensuring our students succeed.

The Province remains committed to modernizing Manitoba's education system to ensure our students are well prepared for their future. Students, parents and education staff can be assured that we will continue to support children's education needs and to ensure they have the best opportunities for success. This is one further step to ensure that our students can be best served by our education system.

\* (17:50)

Thank you, Mr. Speaker.

**Mr. Nello Altomare (Transcona):** It's always a pleasure to rise and put a few words on the record.

I just want to echo the comments from my colleague, the member from St. Johns, when she said that this is quite the suite of legislation that we have to deal with here this afternoon—Bill 56, 62, 63, 33, 41 and now Bill 45—where we have a significant portion of Manitobans in opposition to what's being placed here.

Now, Bill 45 was an opportunity, a real opportunity for this government to just put in that bill the provincial bargaining piece that teachers have been asking for for years. Not only is it good for educators but it also allows for—just like what the minister said in his opening statements—allows for concentrated negotiations and bargaining at the table.

But what the minister neglected to include in his opening remarks on this bill is, of course, the poisoned pill that exists in Bill 45. And, of course, I'm speaking of the part where the arbitrators must take into account the ability-to-pay provision. What an absolutely odious clause to include in a bill.

And he again—like I said earlier, Mr. Assistant Deputy Speaker, here is a missed opportunity for this government to really indicate how much they value educators in our province. And I will say the amount of correspondence that a number of my colleagues on our side of the House have received regarding this particular clause in Bill 45, I'll tell you that the correspondence has been numerous and quite vociferous in their opposition to this clause, the ability to pay.

I will take a bit of a history lesson here, Mr. Assistant Deputy Speaker, is that teachers gave

up the right to strike for a fair and balanced arbitration process. And now, during very trying times that our province and our education system, our health-care system has been enduring these past 15 months, we have a bill brought forward, right here on the floor of this Legislature, that it's really quite an insult to the educational professionals in this province that really rely on the government to show their support for public education and those people that work in the public education system.

I will say this poisoned pill of the ability-to-pay clause is something that is difficult—very difficult—for educational professionals in this province to swallow. Labour peace has been a hallmark of Manitoba education experience since before my time as a teacher. I will even say since before the Premier's (Mr. Pallister) time as a teacher. And that labour peace was guaranteed when we had a fair and balanced arbitration process.

And now with this clause in Bill 45, we are putting that in jeopardy because it impedes the neutrality of the arbitration board. Now teachers know, because teachers know, all about what is fair and what is balanced, because that's what we do on a daily basis with our kids. We talk about taking a fair and balance approach. We know when something doesn't pass a smell test, and this is it right here.

But what's most troubling is that this is something that goes back to my time as an—early in my career as a teacher. This is reminiscent of legislation that was enacted in the '90s, the former bill 72 under the Filmon government that also tried to put this ability-to-pay clause into legislation.

And I will tell you, at the MTS AGM in 1996, that AGM was interrupted in order for us to get our voice heard by this—by the government at that time, because at that time, Mr. Assistant Deputy Speaker, the minister of Education was also not in communication with teachers at that time.

And so, in order to get our voices heard, we marched down to the Legislature and met with that minister by her door to express our displeasure because this particular clause is unfair and unbalanced, and impedes neutrality over the arbitration board. I can't say that strongly enough.

And so, here we are, 25 years later, debating a bill that has this very same clause in it. And yes, it is upsetting to Manitoba educators. And yes, we will certainly not be in favour of Bill 45 because of this very clause, because it tips the balance; it is unfair.

We know as teachers, when something is unfair in our classroom and in our school, we deal with it because we can't let it go.

This is the same thing with this particular clause; it is unfair. And again, impedes neutrality because arbitration is the only dispute resolution process that is available to teachers in Manitoba and we cannot in good conscience unbalance that process. And that is exactly what that—this clause and Bill 45 does: it tilts the balance in favour of the employer. That's not arbitration; that's here's what we're going to offer, here's what you get. And that is patently unfair.

What we would like to have seen at the committee stage, of course, and coming into the third reading of this bill is an amendment that would've struck that clause. Yet, again, a missed opportunity, Mr. Assistant Deputy Speaker; one that would've been appreciated by the 16,600 educators in this province.

But no, that is not what's happened and this clause still remains. So when we hear from this government that they value educators, they show how much they value educators, Mr. Assistant Deputy Speaker, by putting an odious clause into a bill that makes it unpalatable and absolutely difficult to swallow.

I will also remind this House, Mr. Assistant Deputy Speaker, that this follows on the hill—on the heels of Bill 16. Bill 16, The Labour Relations Amendment Act that contained a clause where the Manitoba Labour Board has greater power to remove members from a bargaining unit. And we saw that manifested, of course, in Bill 64, where principals and vice-principals were removed from the same bargaining unit as teachers.

So, during a pandemic, we have legislation in Bill 16 and Bill 45 that completely devalues educators, educational leaders in this province—in a province where we've had, Mr. Assistant Deputy Speaker, labour peace because we value our educators. But with Bill 16, Bill 45 and now, Bill 64, we have a suite of legislation that attacks—directly attacks—not only public education but those that deliver the service to Manitoba children.

I will tell you that this is—shows where the priorities are. And it is with great displeasure that we're—that I sit here in debate, in the Legislature, regarding not only Bill 16, not only Bill 64 but also Bill 45 and a particular clause around ability to pay.

Therefore, we will not be in support of this. We will not be in support of Bill 45.

But here is what's truly at stake here, Mr. Assistant Deputy Speaker—and just like this government's pandemic response during the third wave: when a government cannot acknowledge when it has erred, it cannot possibly take corrective actions to prevent a repeat of its mistakes.

\* (18:00)

And with those final remarks, I conclude my debate.

**Ms. Cindy Lamoureux (Tyndall Park):** Thank you for the opportunity to just share a few words here.

Mr. Acting Deputy Speaker, I want to thank my colleague from St. Boniface for what he shared when he spoke to this bill at second reading. In addition to what my colleague before me has shared, I want to acknowledge the added stress that Bill 45 has put onto school staff across Manitoba the last few months.

As we know, the PCs wanted to freeze the wages of all public sector workers, including in schools, through unconstitutional Bill 28. Teachers' associations have worked very hard to secure contracts for teachers, many of which were ratified with salary and COLA increases.

If Bill 45 is in effect, these increases would be a threat, because the Province wants to take into account the ability to pay, and the ability-to-pay clause is completely unacceptable and undermines collective bargaining entirely.

Mr. Acting Deputy Speaker, we know that the PCs don't have a problem giving financial breaks to the Investors Group Field and folks at the top of the income scale, so it's totally unfair for the Province to try to freeze the wages of so many public sector workers who make sacrifices day in and day out.

I've learned through those who have reached out to me that if Bill 45 passes, many may no longer have access to the arbitration process, and I think it's absolutely critical that this part of the bill be revisited, as it is extremely important that teachers are supported and have a fair bargaining process.

And on that note, Mr. Deputy Speaker, I really want to congratulate school divisions and teachers for their efforts in coming to agreements to ensure all teachers across Manitoba now have a contract.

So, with these few words, we cannot support this legislation moving forward and we hope the government will reconsider moving ahead with it.

Thank you, Mr. Acting Deputy Speaker.

**The Acting Speaker (Len Isleifson):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

**The Acting Speaker (Len Isleifson):** I hear a no.

#### Voice Vote

**The Acting Speaker (Len Isleifson):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Len Isleifson):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Len Isleifson):** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote, Deputy Speaker.

**The Acting Speaker (Len Isleifson):** A recorded vote being requested, call in the members.

\* (18:10)

The question before the House is concurrence and third reading on Bill 45, The Public Schools Amendment and Manitoba Teachers' Society Amendment Act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Johnson, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 29, Nays 21.

**The Acting Speaker (Len Isleifson):** The motion is accordingly passed.

**CONCURRENCE AND THIRD READINGS—  
AMENDED BILLS**

*(Continued)*

**Bill 37—The Planning Amendment and  
City of Winnipeg Charter Amendment Act**

**The Acting Speaker (Len Isleifson):** I will now call upon the honourable Minister of Municipal Relations to move concurrence and third reading motion for Bill 37.

**Hon. Derek Johnson (Minister of Municipal Relations):** I move, seconded by the Minister of Crown Services (Mr. Wharton), that Bill 37, the planning amendment and city charter amendment act, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and now be read for a third time and passed.

**The Acting Speaker (Len Isleifson):** It has been moved by the Minister of Municipal Relations, seconded by the Minister of Crown Services, that Bill 37, The Planning Amendment and City of Winnipeg Charter Amendment Act, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and now read for a third time and passed.

**Mr. Johnson:** I'm pleased to once again rise for the third reading of Bill 37. I'm very happy to see that this legislation has moved forward through the approval process. This legislation delivers on the government of Manitoba's commitment to modernize and streamline the planning process.

This bill is a priority for the government of Manitoba and implements the key planning recommendations from the June 2019 Treasury Board Secretariat report titled planning, zoning and permitting.

Specifically, Bill 37 addresses gaps in Manitoba's regulatory framework by, first, advancing capital approaches to planning in Manitoba's Capital Region; second, introducing timelines which have service standards for planning; and thirdly, enhancing and expanding appeals to the Municipal Board, including for citizens of Winnipeg.

*Mr. Doyle Pivniuk, Deputy Speaker, in the Chair*

As a listening government, we are always open to what we've heard from stakeholders, municipalities and the public. Over the last—past year, my department officials, my previous colleague and myself have had the opportunity to meet with municipal and

industry stakeholders to provide information on the proposed legislation and receive their input.

In response to stakeholders' concerns, our government made a number of changes when this bill was reintroduced this session. In addition, changes were also made to the bill at standing committee.

I would like to take this time to highlight two key changes that were made at committee to streamline and limit planning and appeals. The time to file an appeal has been reduced to 14 days, and this will reduce the delays to development and streamline approvals without negative impacts; and secondly, appeals on conditional uses have been removed to reduce the potential volume of appeals and allow local councils final decisions on conditional uses. And, of course, that's with the exception of the conditional-use appeals for livestock operations and aggregate previously established in 2019 in a different bill.

I would like to take this opportunity to thank the numerous municipalities and other stakeholders who participated in our information sessions, webinars and working meetings. Your advice has been invaluable and I look forward to 'futile'—future engagement regarding regulatory development.

To close, this bill will ensure that local governments timely and transparent decisions on private sector capital investment opportunities in their communities. Manitoba needs to catch up to other Canadian jurisdictions that have mechanisms in place, such as co-ordinated approaches to planning in the Capital Region, mandated timelines for planning decisions and independent appeal systems to help reduce delays to development.

Now more than ever, this is critical to support response-and-recovery efforts from the challenges created by the pandemic.

Thank you, Mr. Deputy Speaker.

**Mr. Matt Wiebe (Concordia):** Pleased to put a few words on the record here at third reading of Bill 37.

Bill 37 has been a bill that has been criticized and been spoken against by municipalities across this province. It's been criticized by members of the development community. It's been criticized by elected officials and city and municipal bureaucrats throughout the metro region and across the province.

\* (18:20)

And it's no wonder. This bill—which was originally, I think, Bill 48, brought by the minister—

now Minister of Families (Ms. Squires)—when it was brought to this Legislature, was a terrible bill. And it was a bill that, you know, immediately raised concerns amongst municipalities. And so, along with them, we were proud to stand up in this Legislature, delay this bill and send it back to this government to get it right.

And what this government instead did was, well, like the rest of their legislation: they said, well, if we can't get it done in its current form, we're just going to toss it in the trash and we're going to prorogue the Legislature and come back at another time.

Given that amount of time from last March to September–October, when we were back in the Legislature, we were giving the government an opportunity to go back to the drawing board, to talk to municipalities, to figure out where they went wrong and to try to get it right.

But did they take that opportunity? No, Mr. Deputy Speaker. In fact, what they did was they took all of the bad ideas in that original bill and essentially reintroduced them as Bill 37.

Now, I will note that one of the concerns—the major concerns—that AMM had at that time was a clause, you know, allowing the province to do these development areas anywhere in the province that they so chose. That was struck out because of the hard lobbying effort. But I also noticed that the minister, in reintroducing—or, introducing this bill for a third reading here this evening, did not mention the metro region specifically and, in fact, talked about development across this province.

So I do think, despite the fact that there is a consultation now that's required within the legislation, there's a concern that the government is still set on bringing this model elsewhere and replicating it, forcing municipalities to join together, sometimes in ways that don't make any sense.

We heard at committee the City of Selkirk, a regional hub, a place that has net—you know, workers coming into the city, it is not part of the metro region; they said, we don't want to be a part of this Bill 37. And they were shut out and shut down, even when we brought forward a—or, a—an amendment to that effect.

We also had the mayor of Winnipeg come to our committee and in no uncertain terms tell this government that this bill is bad for local democracy. We have, you know, a system of city councillors, of committees and an EPC and a mayor here in this city that are accountable to their voters. And with this piece of

legislation, their ability to determine the best development for their constituents will be wiped out and they won't have the ability to represent their folks in the way that they were elected to do.

And that, of course, is what the effect is going to be across the metro region. So it matters not if you're in the municipality of Rosser or if you're in municipality of Springfield: if you're an elected individual out there, your ability to have a say and represent your ratepayers will be severely hampered by this piece of legislation.

This bill is, along with the rest of the suite of bills that this government is bringing forward in this legislative session, antidemocratic; it goes against the democratic norms that we have in this province and it takes power away from elected officials at the local level.

Now, there was a time—well, I guess it was when the now Government House Leader (Mr. Goertzen) was in opposition, that he said, the best decisions happen at the local level, not on Broadway—don't listen to those folks on Broadway who are trying to tell you how to do it. He said, we want to listen to local representation.

And yet now, in government, whether it's the Minister of Families who brought this bill forward and dumped it on the plate of the new Minister of Municipal Relations (Mr. Johnson) or the House leader who continues to bring forward this legislation and push it through, even as groups, as I said, as diverse as the AMM and local officials, to the developers, the many developers who came to committee and told this government that the system they were setting up that pushes all work to the Municipal Board is a natural bottleneck where there's a potential for things to get hung up.

And, you know, I have not seen, in all my time here in the Legislature, a bill—you know, normally a bill, you'll have, you know, a group of people who are opposed to it, but at a—most committee hearings, you'll have a couple of folks that'll come in and say, well, you know, actually, you know, this is, you know, my government here is doing this for me. This helps us.

But, in this case, even the developers are saying that this is a bad bill. They're saying there needs to be a lot of work done now if this bill passes here this evening through regulation. There are many, many problems, and not least of which is the increased bottleneck that will happen at the municipal board

level that will be a natural encumbrance to development, which is, you know, what we're supposed to be doing.

And for a government that continues to say that they want to eliminate red tape, they bring forward pieces of legislation like Bill 37 that are another layer of red tape, but not for them, Mr. Deputy Speaker. It's not for them and for the bureaucrats in the province of Manitoba to deal with. No, it's not provincial employees that'll be dealing with it; it's now municipal employees and municipal bureaucrats who will now be forced to meet deadlines that are not imposed on the Municipal Board or others, but they have all the deadlines laid at their feet, along with the restrictions that will encumber any kind of participation from the local level in terms of citizen input.

So there's a lot wrong with this bill. You know, we—I feel very proud, you know. It's not easy to do—to have much of an effect sometimes in opposition when you've got a government that doesn't want to listen, when they're just, you know, headlong into bad idea after bad idea. They have the majority, and when they bring forward a bill like this, there's oftentimes very little we can do to stand in the way.

Sometimes we can delay it; sometimes we can at least register our displeasure with it. In this case, I feel very proud that we did manage to delay this bill for more than a year, to push this government around, force them to look—to go back to the AMM to listen to some of their concerns, to, you know, reassess how this bill is going to impact others. We gave them that opportunity and we gave those who were concerned with this bill some time to register their displeasure for—in it.

However, as I said, they are the government and they do have the majority, and so, outside of my last-minute appeal to the minister to toss out this terrible legislation that was brought forward by the member for—or, the Minister for Families originally, you know it's not too late. He's the new minister; he could say we should drop this bill or we should vote against our own legislation.

Outside of that, we see this bill is a bad bill. We will be voting against it and, you know, it's unfortunate that, you know, they refuse as a government to listen to those local elected officials, to sweep them aside, whether it's a—you know, their education bill, whether it's this bill here. They don't want to hear from local voices.

We do, Mr. Deputy Speaker. We will continue to do that at every turn. We will be voting against Bill 37

and Bill 38. These are bad pieces of legislation. I hope the government sees the light and votes with us as well.

**Mr. Dougald Lamont (St. Boniface):** It is worth mentioning that the government made some changes to this bill. However, in the committees that I've sat on, I've never—I've rarely seen the level of hostility, actually, and objections to a bill as—that were seen by this bill and that were quite unanimous across a number of interest groups, is that—developers were not happy; the AMM was not happy; individual municipalities were also concerned, including municipalities with very strong track records of developing, like Headingley.

But also, the entire genesis of this bill, I think, has problems, which I will just touch on very briefly, starting with the Treasury Board.

\* (18:30)

Now, I will say: there is absolutely no question that we have issues with the way development is managed in the metro region; that was something that was also unanimously agreed on by presenters at committee. But there were enormous concerns put forward by people because this bill does—not just how it was written, but also how it has finally been amended—does not solve a—many of these problems is—the fundamental flaws in the bill are still in place and that is an enormous concern.

Because we're talking about some of the biggest developers, like Ladco, who are extremely concerned about this, as well as AMM. We put forward a series of amendments that were—that we crafted with not just Leg. Counsel but with—in consultation of AMM in order to address some of the serious flaws in those—in this bill. And it's—that still has not happened.

But part of this is that we have a situation in Winnipeg where, again—we—a police headquarters was built and there was an investigation, the RCMP made recommendations of criminal charges, and that has never been answered. There were major audits into what happened at city—in the—city hall where there were—land was being transferred, there wasn't enough evidence of how it was being paid for, an entire fire station was built on land the City of Winnipeg did not own.

And so I, again, have issues with the idea that—it's clearly that something is broken about the system, with the way permits are happening. And another example is actually one of the developers who favourably cited in the Treasury Board report, once—

build—was fined \$100,000 for building an apartment tower where he was supposed to build a park.

So—one, in talking, in our consultations, in talking with the constituents and community, and talking with planners and people who are concerned about these issues, what is required is clarity; and we don't have this clarity. And when this bill was originally introduced in the spring of 2020, I was surprised in part because an entire board had been commissioned to come up with a report and recommendation on the metro region that never really produced a report; we're not sure that it met more than once.

But, again, I'll just go over some of the challenges of—that were—or criticisms that existed from the original Treasury report, because that was the basis, the foundation of this—it has—that had never been addressed: that when it comes to planning, zoning and permitting—in permitting—that citizens have not been included in this process and have often been shut out.

And that we're talking about, in many ways, having a bill that does for development what Bill 64 does for education: is that it completely cuts out local democracy, local accountability, and replaces it with people who have been appointed in a quasi-judicial forum—which is not a judicial forum so that there are no avenues of appeal, no effective avenues of legal appeal, and where locally elected accountable politicians are going to be cut out from making decisions even though they are going to have to wear the consequences of that.

And there have been plenty of warnings from developers and from—both from developers and AMM and municipalities—that this is going to be a bottleneck as far as approval of criticism—as approval of projects are concerned as well.

There are good projects and there are bad projects. I mean, the fact is that we know that because we have had audits into the City of Winnipeg where a police headquarters went \$85 million over budget and we never found out why. But we know that there are projects that are great, that are fantastic, that are—that help drive economic development; but there is no real distinction in this document between, say, commercial and industrial versus residential. And those are two important issues but they're also completely separate in terms of their impact of the economy.

But when you just look at the word count, the word development came up 134 times in the Treasury Board account; construction, 75; residential, 52; developer, 26 times; business, 25 times; the word residents was only used once and it was not in reference

to anybody from Manitoba, it was Saskatoon planning model committee membership. Citizen was only used once, which again, that's a—that's in the Regina planning model committee membership. Councillors, seven times; taxpayers was only mentioned once; and voters were never mentioned at all.

And aside from the fact that, in a democracy, we are concerned with citizens, and that every citizen has exactly the same say and exact—and that at election time, a billionaire has the same power in choosing the next government as a person who's homeless. The fact is, is that focusing purely on development without including the impact on the—not just the say and opinions of the community, but the property values of the community also matters.

This is—again, this is something that a constituent of mine pointed out, that Qualico built a great project in St. Boniface at the corner of Provencher and Taché. They invested \$14 million, they made all their money back because they sold it as condos, it—but the stakeholders in the project are deemed to be Qualico business owners, which is fine, the business development, but the homeowners are not included in this.

So you—so it's not just a question of people considering people as voters or citizens, but considering them as homeowners. And, as stakeholders in the community, residents who've put their own money in—they have a half billion dollars—they have a half-billion-dollar stake in the community, cumulative as this—of the roughly—I mean, that's gone up now, but of the 1,670 owned or occupied homes, they have a half billion dollars in property. But they are not going to be given a say in what the impact of a \$14-million or a \$2-million project might be.

And this is important because it's—we're talking across the board, that we're restricting people's ability to participate, we're restricting the ability of elected officials, we're restricting the ability of the courts, and it's—and it's a bill that has not been justified because the initial Treasury Board document had another report which just cut and pasted much of the same recommendations. The independent board that was set up only met once and never came up with any recommendations.

And we've had an incredible and articulate, detailed resistance and warnings as to why this is a bad bill. So it's really unfortunate that the government decided to go—move ahead with it anyway. I anticipate that many of the warnings that have been—were made will come true in short order, and that is why we are not going to support this bill.

Thank you very much, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Any further speakers?

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** Recorded vote, Deputy Speaker.

**Mr. Deputy Speaker:** A recorded vote has been requested, call in the members.

\* (18:40)

The question before the House is concurrence and third reading of Bill 37, the planning amendment and the City of Winnipeg Charter amendment act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 30, Nays 21.

**Mr. Deputy Speaker:** The motion is accordingly passed.

\* (18:50)

## CONCURRENCE AND THIRD READINGS

*(Continued)*

### Bill 38—The Building and Electrical Permitting Improvement Act (Various Acts Amended and Permit Dispute Resolution Act Enacted)

**Mr. Deputy Speaker:** I will now call upon the honourable Minister for Municipal Relations to move and—the concurrence and third reading motion for Bill 38, the building of the—electrical permitting improvement act, various acts amended and permit dispute resolution act enacted.

**Hon. Derek Johnson (Minister of Municipal Relations):** I move, seconded by the Minister of Crown Services (Mr. Wharton), that Bill 38, The Building and Electrical Permitting Improvement Act (Various Acts Amended and Permit Dispute Resolution Act Enacted), reported from the Standing Committee on Social and Economic Development, be concurred in and now be read for a third time and passed.

#### *Motion presented.*

**Mr. Johnson:** I'm pleased again to rise for the third reading of Bill 38. I'm very happy to see this legislation move through the approval process. The legislation improvements key recommendations in the planning and permitting in the Manitoba report released by Treasury Board Secretariat in June of 2019.

Bill 38 enacts a new statute entitled The Permit Dispute Resolution Act and amends The Buildings and Mobile Homes Act and also The Manitoba Hydro Act. And what this does is it'll establish a new dispute resolution process for decisions made by building and electrical code permitting authorities.

It'll also enable regulations establishing time frames within which approving authorities must issue or refuse building and electrical permit applications and conduct associated inspections. It will enable the adoption of a single, province-wide electrical code to ensure the consistent code application between the City of Winnipeg and the rest of the province.

It will ensure timely adoption of the national model construction codes within fixed time frames to improve harmonization with other 'jurisdictions' across Canada and ensure that Manitoba meets commitments under the Canada free trade agreement. It will also streamline administrative processes and



allow for the modernization of mobile home requirements.

Bill 38 will enhance opportunities for economic growth and ensure Manitoba remains competitive and attractive for businesses and job growth. It provides a clear and consistent process for administering building and electrical codes across Manitoba. There will be common, enforceable service standards and a level of oversight that does not currently exist.

Builders and developers will have predictably that permitting decisions will be made within consistent and reasonable time frames regardless of the location across Manitoba, wherever they're building. They will be able to plan and schedule their development activities based on mandated timelines that are consistent across Manitoba and based on consistent interpretations of building and electrical codes.

In the event that a dispute arises, permit applicants will have a formalized appeal mechanism for cases where they believe a permitting authority is wrong and withholding a permit or issuing an order on code matters. A standardized appeal process will provide transparency through published appeal decisions. So Bill 38 will also address historical delays in adopting national model construction codes, as well as the current patchwork of provincial and territory approaches to construction codes.

This timely harmonization of codes across jurisdictions will provide suppliers and builders with consistent procedures across jurisdictions and will result in an overall economic benefit to the Canadian economy, estimated to be between \$750 million to \$1 billion by 2028.

I'd like to thank the many stakeholders who offered valued input when developing this legislation and look forward to further engagement regarding regulatory development.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** I recognize the honourable member for Concordia.

**Mr. Matt Wiebe (Concordia):** Well, only this government could take something as routine as harmonizing electrical codes across jurisdictions and turn it into a political partisan exercise.

You know, this entire process was, you know, dreamed up in the political backrooms of Treasury Board, and this Premier (Mr. Pallister) decided to begin these negotiations and consultations on improving building codes and electrical codes here in the city of Winnipeg and in Manitoba by attacking the mayor, by attacking the council and by attacking the City of Winnipeg.

We shouldn't be surprised. This has been this Premier's MO since being elected: to fight with those around him and to start political fights, wherever he can, to take some of the limelight and some of the pressure off of himself. But in this case, Mr. Deputy Speaker, once again they're using—this government is using this legislation to not only politicize the process but bring in more power under the minister's control unnecessarily and in a way that doesn't actually improve things for local municipalities and for the City of Winnipeg.

It establishes the appeal of local permitting through the establishment and—of an appeal commission. However, there's an—it's nearly impossible for any commissioner to be removed except for a cause by this government. This is an unprecedented power given to a commissioner, compared to any other agency in Manitoba.

Decisions of the commission are not subject to any further appeal, according to section 12 of the act. This is a major concern for us, Mr. Deputy Speaker. We don't know if this is even, you know, would—with—would be upheld by the courts. There is an enormous grab of power that is unlike any other jurisdiction in Canada.

The opportunity for this government to reach out to municipalities, to work with them and to try to improve things would have been probably the best way to go about this, but, as I said, it's been politicized from the start and, you know, this government at every turn has tried to, you know, take away power from local democracy and from those democratic leaders.

This is a concern, not only with this bill but every single bill that this government has brought forward in this spring session and we will be voting against this.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** I now recognize the honourable member for St. Boniface.

**Mr. Dougald Lamont (St. Boniface):** I will try to be mercifully brief.

\* (19:00)

I will just say, like, we also have serious concerns with this bill. And, again, there is no question that there were issues with planning and permitting at the City of Winnipeg. The question is whether there were human resource issues or—and there were. As I understand, private investigators were hired, and it turned out that inspectors were taking their day to work on their own projects, that they weren't actually at work doing anything—permitting. There were stories of people running side businesses as they were—when they were supposed to be working in permitting.

And, look, that's completely unacceptable, but I don't know that it actually requires either a Treasury Board report or a piece of legislation that is 34 pages—32, 33 pages long. I mean, the irony of—that this government has made a very huge priority—or they've said they have a priority to remove red tape—and this is—and they use words like modernization and they use words like efficiency, but we keep on taking more and more hands into the powers of the provincial government and stripping powers away from people who actually are closer to the issue and closer to the problem.

Even the fact that Manitoba and—or, that the rest of Manitoba and Winnipeg have different rules, that is entirely due to provincial legislation. In fact, there are all sorts of rules that are completely different from Winnipeg and the rest of Manitoba, not because the City of Winnipeg had any choice in it, but because of the way the Province chooses to legislate the City of Winnipeg act, often in ways that reduce the powers and limit the powers of the City of Winnipeg, as compared with other jurisdictions.

So I've already expressed my concerns about the Treasury Board report. There are issues with development and regulation and accountability, but, unfortunately, this government is—legislation is not actually addressing this. We will not be supporting it.

**Mr. Deputy Speaker:** Any further speakers?

Is it pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** Agreed?

### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Mr. Wiebe:** On division.

**Mr. Deputy Speaker:** The—I declare the motion carried, on division.

### Bill 46—The Court Practice and Administration Act (Various Acts Amended)

**Mr. Deputy Speaker:** So, now we'll go on to Bill—I will now call upon the honourable Minister of Justice to move the concurrence and third reading of Bill 46.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister for Sport, Culture and Heritage, that Bill 46, The Court Practice and Administration Act (Various Acts Amended), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

#### *Motion presented.*

**Mr. Friesen:** It's my pleasure to rise and put a few brief comments on the record at third reading for The Court Practice and Administration Act.

The bill amends seven statutes pertaining to court practices and operations. These amendments assure that Manitobans will have access to justice. They're designed to reduce court backlogs and improve overall efficiency of the justice system, and all Manitobans benefit from that.

Amendments will enable regulatory changes in court service fee amounts. It would result in juror compensation amount increases, the first time in years in this province that jurors would see an increase in their compensation. And while we all recognize that no one will get rich serving on juror duty, we need people to do their civic duty, even so. Now jurors would, for the first time, begin to be paid on the first day of their service and not after a pause or a delay.

Also, it—this would result in refinements in certain policies. So, Mr. Deputy Speaker, in brief, we would—we contain in these amendments some changes that would allow federally appointed judges to get compensated by the federal government for conferences and seminars they attend.

Also significant in this bill would be changes in terms of allowing the chief judge to have more flexibility in addressing the workload challenges of the court with assigning senior judges that would result in addressing delays in our courts, and we highly recommend that to the Legislature.

There are other changes, as well, but just a few that I will mention. I think very significant in this bill are changes that would be designed to make sure that anyone who has to disclose information about their health or mobility issues, we would very much lower the bar on what they would be required to disclose to. Previously, they would have to provide very detailed health information if they were looking to be excused from jury duty due to some kind of a health or mobility issue. And, in this case, we've very much reduced the burden on those individuals to have to disclose. We think that is good for everyone.

And then, finally, I would just also mention, Mr. Deputy Speaker, that we've—this bill would allow us to raise certain amounts or give more flexibility to courts when it comes to compensating court interpreters and expert witnesses who we need for our proceedings.

And then, as I said, I would just want to highlight again that it used to be the case that jurors were only paid after day 11, and now jury pay would begin on day 1.

Also, I think I should probably mention one last thing, and that is that The Jury Act would be amended as well to modernize the reasons for disqualification and exemption from jury duty. And, in this case, Mr. Deputy Speaker, many more people, as a result of these amendments, would become eligible for jury duty who were previously not qualified for jury duty. So we're taking a disqualification and we're making far more Manitobans qualified to serve.

We hope that this bill will have the support of all parties at third reading.

**Mr. Deputy Speaker:** I recognize the honourable member for St. Johns.

**Ms. Nahanni Fontaine (St. Johns):** I'm going to just put a couple of words on the record in respect of

bill 47, The Court Practice and Administration Act, various acts amendment. This is the—we have a couple of concerns with this bill and I'll just concentrate on one of them, Deputy Speaker, here. We're concerned with the changes to the fee structure that the minister has just pointed out. We know that fees to third-party operators are now considered court fees under this act.

We also know that the Pallister government has created a monopoly for a private corporation from Saskatchewan to handle all of Manitoba's legal transcripts. This used to be done in-house and it was done through the Manitoba civil service. It was done very well. Actually, just want to take a moment to just thank those members of the civil service who used to do that work. It's important work and it was done well. And for whatever reason—well, I guess for money; everything is—again, as I've said before, the Pallister government, its *raison d'être* is about money. And so they got rid of it and they gave it to their corporate buddies.

We know that this service has actually worsened since it was given to a private corporation, because that's typically what happens when you take it out of the hands of the public service and into the private. There are cutting costs and that's what we see.

We also know that it's become more expensive for folks. And, you know, under this relationship, the government now acts as the bill collector for a private out-of-the-province corporation. And since accessing legal transcripts is more expensive, it becomes another barrier that economically marginalized Manitobans have to overcome in accessing justice within the court system.

\* (19:10)

And, again, I think that the—we—you know, there's a theme here since 2016, and certainly this, you know, Bill 46 is no different. The Pallister government is—I mean—the Pallister government has handled the pandemic horrendously; I think we can all agree on that. I think even members opposite would agree when they'd look—when they go to bed at night and they're like, you know what, we did not do a good job on the pandemic at all.

And that's what has happened here. Or actually, let me just say this again. We know that they didn't do a good job on the pandemic; we know that they haven't done a good job on health care; now the education system.

But what they have done a really really good job at, they are, bar none, the best—probably the best in the

country—I don't know, maybe Jason Kenney or Doug Ford are maybe the best as well—but what they've done really really good at is making sure that they put obstacle after obstacle after obstacle in the way of Manitobans accessing services and accessing justice, accessing health, accessing health care or education.

That's what they've done. They are so good at putting obstacles and making people jump through more hoops to access what everybody else should be able to access. And so that's what this bill does. It makes it more difficult for folks to access those legal transcripts that they need. And I would suggest to the Deputy Speaker that the members don't care.

The other thing—and I'll just quickly say this—is that in Bill 46, they missed an opportunity to look at Indigenous representation on juries. I think that this is a discussion that's been going on obviously in the last several years. There's been lots of discussion going on right now about the importance of having Indigenous representation on juries, and they missed that opportunity to do that in Bill 46.

We won't be supporting this bill, obviously, but thank you, Deputy Speaker.

**Mr. Deputy Speaker:** I recognize now the member for River Heights.

**Hon. Jon Gerrard (River Heights):** With regard to this bill, I will start by saying that we will be supporting this legislation. We agree with some of the changes to jury remuneration and some of the other changes.

One of the major concerns that we have is with regard to the accommodation with persons with disabilities. We've seen far too many instances where even though there is a duty to accommodate individuals with disabilities, this duty is too easily dismissed and people with disabilities of various natures are not given the accommodation that they should be receiving in order to fully participate.

*Mr. Dennis Smook, Acting Speaker, in the Chair*

And so, although there is a general duty to accommodate, historically it's been very easy to dismiss that ability. And so that—even though the hope is that there will be more participation with individuals with disabilities, this remains to be seen whether this actually will happen. And we want to emphasize the importance of courts doing what is possible in terms of accommodating people with disabilities, and we think that it's very important that people with disabilities are actually asked what they need to be

accommodated and so that accommodation can be made.

With those few comments, I will, in the interest of time, let us move on to other subject matter. As I said, we are supporting this in spite of some concerns.

**The Acting Speaker (Dennis Smook):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Dennis Smook):** I hear a no.

#### Voice Vote

**The Acting Speaker (Dennis Smook):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Dennis Smook):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Dennis Smook):** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division.

**The Acting Speaker (Dennis Smook):** The motion is carried, on division.

### CONCURRENCE AND THIRD READINGS— AMENDED BILLS

*(Continued)*

#### Bill 51—The Limitations Act

**The Acting Speaker (Dennis Smook):** I will now—we will now move to Bill 51.

I will now call upon the honourable member of—or sorry, the honourable Minister of Justice to move concurrence and third reading motion for Bill 51.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister for Indigenous and Northern Relations, that Bill 51, The Limitations Act; Loi sur les délais de prescription, reported from the Standing Committee on Justice, and subsequently amended, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Friesen:** This bill is quite a straightforward one. It is our attempt, as government, to modernize and

simplify limitation periods in Manitoba which are largely unchanged, some might say, from 1931. Yes, there were amendments in 1967, 1980, 2002, but it is the consensus of all involved that we are in need of simplification and modernization.

In short, Mr. Acting Deputy Speaker, in Manitoba you have a broad array of liabilities or limitations act—signals to industry and others about how long they must bear responsibility for things, for construction, for workmanship, and that does not align with other jurisdictions. So, in almost every other Canadian jurisdiction there has been this consensus and this comprehensive work to align limitation periods, and that is the work that has also been underway more recently in Manitoba.

We thank all those who came to committee to present and for their words of support for the bill. We know that, if passed, these legislative amendments will make Manitoba more in line with other provinces, more competitive. These changes will address jurisdictional trade barriers, free trade and labour mobility.

Essentially, the act then takes a variety of limitation periods between two and 10 years and replaces those periods with a streamlined structure based on a two-year basic limitation period and a 15-year ultimate limitation period. And these limitations apply to all civil claims unless otherwise specified.

And I remind all members of the Assembly that there are some cases, of course, in which there exist in law no limitations. This was hinted to by the NDP. Some of their members tried to suggest that somehow there would be a statute of limitations on something like a—sex assault charges is absolutely false. *[interjection]*

As a matter of fact, even as the member for St. Johns chirps from her seat, there were members of the NDP who put this on Twitter and sent it out there simply because they did not bother to read the bill. And I would tell that member for St. Johns, if she'd like to, she should go back and check the Twitter posts of her own members.

The fact is, Mr. Acting Deputy Speaker, that nothing could be further from the truth. Where NDP members continue to try to mislead Manitobans, we know that this bill would align Manitoba with other jurisdictions. We know that this bill comes with the support of the industry.

And I want to make one more thing clear, that we did decide to amend the bill to meet one particular

concern expressed by the Manitoba Association of Architects, the association of consulting engineer companies of Manitoba, the association of land surveyors, the Manitoba construction association and others. They had said that there was a backdoor possible that they wanted to prevent, a mechanism by which there could have been, if unamended, the ability in practice to circumvent the actual intention of the bill. So we closed that loophole by simply stating that the ultimate limitation may not be extended by agreement. This aligns Manitoba's approach with Saskatchewan's and other provinces.

\* (19:20)

I also want to thank the member for Rossmere (Mr. Micklefield) for his personal attention to this bill, his work with industry associations and even his work in the amendments where he helped to facilitate the conversation between industry groups and the government.

So we commend this bill to the House because it simplifies the law. It promotes efficiency of the civil justice system and it reduces the likelihood of stale-dated claims.

**The Acting Speaker (Dennis Smook):** I recognize the honourable member for St. Johns.

**Ms. Nahanni Fontaine (St. Johns):** I find it comical that the Minister of Justice gets up in the House and says that members of the NDP are misleading Manitobans in respect of Bill 51 and what we've put on the record in respect of Bill 51.

Deputy Speaker, the justice of—minister, who I remind folks, was the former justice of Health, who, I would submit to the House, and most Manitobans would submit to the House if they had the opportunity, is actually—the third wave is predicated upon his absolute dismal failure as the Health minister. His dismal failure as the Health minister—*[interjection]*

Are you going to apologize to doctors? Are you going to apologize to the nurses that are exhausted right now? Nurses are exhausted right now—*[interjection]*

**The Acting Speaker (Dennis Smook):** Order. Order. Order, please.

Could we get back on topic? *[interjection]*

Order. Order. Order.

Could we please get back onto the topic of the bill in front of us?

**Ms. Fontaine:** Miigwech, Deputy Speaker. I apologize to you. It's not my fault that the Minister of Justice (Mr. Friesen) feels that he has to chirp whenever I get up and speak, and again continue to put false—falsities on the record here.

It's not my fault that he's angry that he was fired up from the Minister of Justice—or from the minister of Health to the Minister of Justice. It's not my fault that he puts forward legislation like bills 51, 58, you know, 46, all of these outrageous bills. It's not my fault that he is intentionally legislatively doing everything that he can to make sure that Manitobans don't have what they need and that, in fact, that he is putting those obstacles in place.

And just before you called the House to order, he asked if I was going to apologize to the nurses. For what? Why on earth would I apologize to Manitoba nurses? I'm not the one that has not given nurses a contract in four years. I'm not the one, nor is anybody on this side, the one that has set up nurses to fail right now in having not the infrastructure and the resources that they need to be able to do their job. That is the minister's failure. That is the Premier's (Mr. Pallister) failure.

And where we are, again, as I was saying, in the third wave, is all predicated upon his absolute failure as the Health minister. So if anybody needs to apologize to nurses, it is the Minister of Justice, and he should just get up, if he wants to apologize, and put it on the record and finally apologize to doctors for his disrespectful comments that he made several months ago when he thought nobody was watching or listening.

So he needs to just sit in his place. He was doing well for a while; he was very quiet in the House, didn't chirp, didn't try to give his little heckles; he was doing very good. I would suggest to him to continue to do the same: just sit in his place, do his time, and, from what I understand, he's not going to be running again, and that will do a good thing for Manitobans.

So, as I was saying on Bill 51, I think it's important to put on the record that this government has chosen to limit the limitations on certain things, and, again, what it does is that it fundamentally ensures that there are going to be folks that, when they are able to decide to come forward with whatever it may be, they will have not made the time limit. They would be out of the limitation period.

Instead of creating a legislative system where it works for Manitobans, where it works for potential

victims, he is actually putting measures in place that work against. And it's no different that any other piece of legislation that he has.

So, I'll keep my comments brief. He can come back if he'd like. I'll give him—I have five minutes and 30 seconds—I'll give him my time if he wants to get up in the House and apologize to Manitobans but in particular, if he wants to apologize to nurses, right now, who are barely surviving their shifts right now because there are no nurses to be had because they did not invest in critical care.

I will give him my time if he wants to apologize to doctors, who he didn't listen to and this is why we're in the third wave. I invite him, if he's such a speaker, to come and take my time.

Miigwech.

**The Acting Speaker (Dennis Smook):** I would just like to remind all members if we could keep on topic of the bill that's being discussed instead of other issues. We know where there's a lot of emotion involved in a lot of these discussions. I would ask for members to please concentrate on the bill before us.

**Hon. Jon Gerrard (River Heights):** Yes, I raise concerns about this bill. This bill drastically shortens the time period—the period of time during which an action must be brought forward.

The government has consulted with people in industry, with lawyers, but has not adequately considered, in my view, the people who are less well off, who are often victims and who need often more time to bring things forward.

I am sure, having talked to a number of people, that there will be matters which now do not come forward and it is, in part, related to the time and effort that it takes to build a case before one brings something forward and the need, often, to build that case in a way that doesn't alert the people or organization against whom the case is being built, in part because such early notification before it's fully presented or fully prepared may alert the person who has perpetrated the problem in a way that they could easily destroy records.

Even though that may, in some cases, be illegal, it speaks to the care which a legal case has to be developed: the evidence has to be to put together and in a number of instances, the matters are sufficiently complex that you really can't put this together in the timeline that is prescribed and that is particular true if

you are an individual who doesn't have a huge amount of resources and time to do this.

So I think the sad part is that some people will be cut off from seeking redress for circumstances that have happened to them and I think that's a sad fact that there will be people who are no longer able to take their issues to court to get a resolution.

\* (19:30)

There is, in relationship to this, one item which is fairly important, and that is that this bill will come into law when it is proclaimed. Now, because this is a drastic change, I suggest to the government that it will be very, very important to circulate widely the fact that these limitation periods are being so drastically shortened and—so that people have a chance to put forward cases which have waited because they were acting based on the previous limitation period and were not aware that, all of a sudden, they were drastically shorted by this—shortened by this legislation.

I think it is only fair that the government advertise far and wide about the shortening so that people can have an opportunity to bring forward cases quickly if they have delayed and would miss the new periods of limitation and miss the opportunity to bring their case forward at all.

So, I make this suggestion. It is a matter of fairness and justice that people know that these drastic changes are occurring and that they have fair warning and that the government does not spring on people these changes overnight without having made a substantial of effort in letting people know that the changes are taking place before they actually implement them.

So, hopefully, the government will listen and will make sure that people—not just lawyers, but people in the general public, are aware of this because the people who are at highest risk are people who are in the general public who have a court case that they want to bring forward but they have been waiting based on their belief that the operative framework was the old periods of limitation.

And it would only be fair to widely circulate the fact that these changes will be made, for example, at the end of this year, so that there's a number of months that people will know when the change is going to be,

rather than making it precipitously within a few days of when this legislation is passed.

So I ask the government to be fair and decent in how they handle and when—how they make and implement this legislation so that it doesn't disadvantage a lot of people who are acting in good faith on the old period of limitation without knowing that this period of limitation is being changed.

So with those few comments, I will pass this on. We will not support this. We will vote against it because we believe that this will decrease access to justice, particularly for those who are most vulnerable, who are victims, who have been poorly served by circumstances.

Thank you.

**The Acting Speaker (Dennis Smook):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Dennis Smook):** I hear a no.

#### Voice Vote

**The Acting Speaker (Dennis Smook):** All those in favour of the motion, please say ye.

**Some Honourable Members:** Yea.

**The Acting Speaker (Dennis Smook):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Dennis Smook):** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote, Deputy Speaker.

**The Acting Speaker (Dennis Smook):** A recorded vote has been requested. Call in the members.

The question before the House is concurrence and third reading of Bill 51, The Limitations Act.

### Division

**A RECORDED VOTE** was taken, the result being as follows:

#### Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Squires, Teitsma, Wharton, Wishart, Wowchuk.

#### Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

**Clerk (Ms. Patricia Chaychuk):** Yeas 32, Nays 21.

**The Acting Speaker (Dennis Smook):** The motion is accordingly passed.

\* (19:40)

### CONCURRENCE AND THIRD READINGS

(Continued)

#### Bill 58—The Criminal Property Forfeiture Amendment Act

**The Acting Speaker (Dennis Smook):** I will now call upon the honourable Minister of Justice to move concurrence and third reading motion for Bill 58, The Criminal Property Forfeiture Amendment Act.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Finance (Mr. Fielding), that Bill 58, The Criminal Property Forfeiture Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Friesen:** Mr. Acting Deputy Speaker, today is May the 20th, and not only is it the day on which the House is considering third readings of specified bills in this specified order, it also happens to be, incidentally, the day on which our Province provided more than \$2.3 million for crime prevention and safety initiatives throughout Manitoba through the criminal property forfeiture program.

So, today I had the honour of disclosing to Manitobans that we were making funding available to organizations across this great province whose great initiatives are continuing to build community, invest

in youth, support victims of crime and enhance safety in our communities.

Among today's announcements were \$100,000 for Candace House for its Healing Haven and safe and informed spaces program. Among today's announcements were \$10,000 for Rossbrook House Inc. to address levels of poverty, racism and inequity and overcome those systemic barriers.

Today, included in this announcement was \$20,000 of new funding for C-P-3, or the Canadian Centre for Child Protection, for a specialized curriculum to be able to safeguard children from sexual victimization; \$25,000 for Altona's Youth for Christ to create a maker space for at-risk youth to learn new trades and to create a brighter future; \$33,000 for Kidthink Children's Mental Health Centre to be able to effectively intervene with children to get better interventions and stop the cycle of violence.

Mr. Acting Deputy Speaker, the reason I take the time to read this list is there's been opposition to this bill of very reasonable measures designed to enhance our Criminal Property Forfeiture Act. I want to make very clear to the House today that a vote against this bill this evening in this Legislature is a vote against the organizations that I just read out, and a vote against this bill—I will notify these non-government organizations that these parties in this House today did not support the funding to Kidthink, to Youth for Christ, to Candace House, to Rossbrook House.

Included in these announcements—and I do not have the time—are investments throughout the North on First Nations communities—things like kayaks for kids and buying new basketball uniforms for Indigenous children on reserves. And these things are sponsored by non-profits; they are sometimes sponsored by police agencies; they are—this program will today give \$500,000 of funding to Victim Services.

\* (19:50)

So, let me summarize the actual bill components by simply saying the following: a few practical and reasonable measures that are designed to make sure that the sophistication of criminals to elude police is insufficient. In order to do that, we must modernize our approach.

A change will take place in this bill that's designed to create a preliminary preservation order that prevents a person from disposing of property if the court is satisfied that there's a serious issue to be tried in forfeiture proceedings, and a second measure, a preliminary disclosure order that requires a person



to answer questions related to how they've acquired property that's believed to be an instrument of unlawful activity.

There's also included in these measures a few other things. I would flag the fact that there is a mechanism here by which the director of the program, if they have reasonable grounds to suspect that the property of a person is an instrument or proceeds of unlawful activity, there's new provisions here that would allow the director to collect information from financial institutions about a person's accounts and dealings with financial institutions.

Mr. Acting Deputy Speaker, we believe that these measures are reasonable, they are practical, they help to send the message that we will continue to be involved and focused on recouping the proceeds of crime, liquidating those 'asseids' and then—assets and then ploughing those proceeds into places in our community like the ones I listed.

And I would ask for the support of all members of the House to ensure that we can continue to build this program to continue to invest in our community, in our youth, in safety.

**Ms. Nahanni Fontaine (St. Johns):** I mean, even his own members aren't clapping for him at this point.

Let me just put on—let me disabuse the minister what he just put on the record here that somehow he's threatening the NDP now. We've gotten into—he's an utter failure in all of his portfolios, but now, in order to deflect that failure, he's threatening the NDP.

He's threatening the NDP that he's going to write letters to all of these community organizations that he just listed out that are receiving money—as they should. They should be receiving that money, Deputy Speaker. But now he's threatening the NDP that somehow if we vote against Bill 58—which we are, let me just put it out there—that somehow he's going to write every single one of these agencies and organizations that the NDP voted against it, and somehow that's going to, like, ruin our reputation with these organizations? I think not.

But it is really indicative of how petty the minister is, that the minister would stand in this Chamber at this hour as we're debating, like, the hundredth bill of their egregious legislation and threaten the official opposition because we don't agree with their egregious bill. That's our job. If they—if Bill 58 was a good bill, Deputy Speaker, we would be there, we would be standing in solidarity with the members opposite.

Unfortunately, Bill 58 is not a good bill, Deputy Speaker. It's not a good bill. Why? It's not a good bill because at its heart, at its essence is that what he has put into place is that Manitobans, if they come into contact with the police—which again I will remind the House that when we were at standing committee for Bill 58, the minister put on the record that, in fact, he wants Manitobans to come into contact with the police, he wants more Manitobans to come into contact with the police.

Because—I will remind the minister—because, according to the Minister of Justice (Mr. Friesen), the MLA for Morris, he thinks everybody are a bunch of gangbangers. That's why he wants everybody to come into contact with the police.

And so the—what we see here in 58 is that he's put legislative measures in place that if police stop someone in their car, those individuals in the car, those citizens, those Manitobans—where normally under the law are innocent until proven guilty—Bill 58 flips that script so that actually when the police stop the car, those individuals in those—in that car are actually guilty until proven innocent. That's what that man is sitting here tonight, threatening the NDP. That man over there, the failed Health minister, and now this. Like, I don't know what he's trying to be as the Justice Minister—get everybody in jail. Like, I don't know what he's trying to do.

But he's trying to threaten the NDP because we don't support criminalizing Manitobans, because we don't support criminalizing BIPOC Manitobans, and that's what's going to happen, Deputy Speaker. And, again, I know that the Health, or the former Health minister, the current Justice Minister—*[interjection]* And I know that members opposite are laughing. *[interjection]* You know we can hear you guys, eh? On virtual. You know we can hear you in the Chamber. You should be careful.

So while the Minister of Justice (Mr. Friesen) is trying to make sure that everybody—every single Manitoban comes into conflict with the police, and threaten the NDP to call out that we're not voting—of course, we're not going to vote for Bill 58. Of course, we're not going to vote for the minister's bill on 58—*[interjection]*—who is still chirping. I don't understand why the minister doesn't see his place and understand that he was fired up—

**The Acting Speaker (Dennis Smook):** Could the member please address the Chair.

**An Honourable Member:** Who's fired up in here?

**Ms. Fontaine:** No, fired up—I mean that you were let go of the minister of Health because he did so bad, but in his privilege, he's still a minister. Anyone else, anyone else who failed so utterly, horribly and miserably would've been kicked to the curb. But not the minister, not members opposite. They're still given a cushy little job and the \$50,000 extra that it comes when you're a Minister of Justice. And you're going to threaten us on this side? I don't think so. Not tonight, Deputy Speaker. That's not going to happen.

We're not going to be voting for 58 because it is the antithesis to what we stand for. We stand for Manitobans. We stand for Manitobans that they are considered innocent until proven guilty. We're not going to flip that script and support the—what the member opposite is trying to do. Never will we do that. And if he wants to write those letters, go right ahead, though, I'm pretty sure that none of those organizations that deserve that money anyway—it's not his personal money that he's giving them, personal money out of his account. It is taxpayers' money. It's money that was found from criminal property forfeitures and it should go to victims. It should go to community organizations. He's not doing anybody a 'favour.' He's barely doing his job.

So, Deputy Speaker, we won't be supporting 58 because we believe in Manitobans and we certainly don't believe in him.

Miigwech.

**Hon. Jon Gerrard (River Heights):** First of all, I think it's important to point out that the NDP brought in this law in the first place. And I know that the Justice critic for the NDP has a lot of complaints about the law, but she should probably start by looking at where it came from and why it didn't then just fund community organizations.

Next, I want to address the Minister of Justice ridiculous assertion that a person who votes against this bill votes against the organizations listed. The minister obviously has never studied basic elements of logical thinking; his logic is fallacious. We are not so much against recouping the proceeds of crime as we are against the measures in this bill, which would have property being taken from people prematurely before they have even been committed and convicted of a crime.

\* (20:00)

When you take property from people who have not been convicted of a crime, there is a big problem. You may make mistakes. We have to acknowledge

that mistakes can and do happen. We have had people come to us who have told us about their property being unjustly seized because there was some alleged link to the crime that was going on, which turned out to be completely false.

Now, this is where we have to be very careful; and I think the bill falls short in the due diligence that must be achieved. When you are dealing with taking property away from people who have been alleged to have convicted—committed a crime but have not been convicted of being—of having committed the crime, and when we're talking about taking away a car or a house from people, then this is very serious matter.

The justice system should be fair, it should treat people equally, but it should also be very careful about taking major property away from somebody who has not been convicted of a crime. And there should be much better safeguards to protect people until such conviction occurs. Certainly, this is the biggest problem; the law should be fair and just. The law, as it is being applied, should not cause more problems than it solves by taking property from people who have not been convicted without having the adequate safeguards in place.

I think it is also true that the way the funds are distributed may need to be looked at. But I want to say that organizations like Candace House, there is just no question that they do an amazing job, and they are to be complimented for that. It may be that the government really should be funding them directly rather than having to rely on the proceeds of crime to fund them.

But be that as it may, the important thing is that we do ensure that organizations like Candace House and other organizations which are doing a great job do get the financial support they need to continue their efforts helping make this place a more just and fair place for victims of crime and to decrease crime in the first place.

So with those few comments, I will stop. But I will just sum up once more that the minister's assertion that a person who votes against this bill votes against the organizations listed—that is ridiculous; we are concerned first and foremost that property should not be taken prematurely from people before they have been convicted of a crime.

Let us not do more damage in the cause—in the course of trying to provide justice, and then—and we should not be hurting innocent people in the course of trying to provide justice. And let us remember that

some of the property that can be taken away is—can be major property, including a car, a house, and that it should be very carefully done and it should not be done prematurely before people have been convicted of a crime.

Thank you.

**The Acting Speaker (Dennis Smook):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Dennis Smook):** I hear—sorry. I hear a no.

#### Voice Vote

**The Acting Speaker (Dennis Smook):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Dennis Smook):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Dennis Smook):** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote, please.

**The Acting Speaker (Dennis Smook):** A recorded vote has been requested. Call in the members.

\* (20:10)

The question before the House is concurrence and third reading of Bill 58, The Criminal Property Forfeiture Amendment Act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 32, Nays 21.

**The Acting Speaker (Dennis Smook):** The motion is accordingly passed.

#### Bill 60—The Liquor, Gaming and Cannabis Control Amendment Act (2)

**The Acting Speaker (Dennis Smook):** I will now call upon the Minister of Justice to move concurrence and third reading motion for Bill 60.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister for Advanced Education, Skills and Immigration, that Bill 60, The Liquor, Gaming and Cannabis Control Amendment Act (2), reported by—from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

#### Motion presented.

**Mr. Friesen:** Well, sometimes in a long night of debate, tempers flare and there is a protracted disagreement, but I think we've found one that we can all agree on—that, Mr. Acting Deputy Speaker, the liquor, gaming and cannabis control amendment act. I will bravely venture into this one and look for consensus in the House.

The bill attempts to do three things that we think are reasonable, practical and founded on evidence. The first is it would allow a new modern licence category that would permit third party companies to deliver liquor and cannabis on behalf of existing liquor retailers and 'service' licensees, such as restaurants and lounges and retail cannabis stores.

Now, people might ask, well don't we do that already? Well, the problem is that, right now, if a third party company delivers alcohol or cannabis on behalf of a liquor or cannabis licensee; let's say they do that to a minor person or an intoxicated person, there's a liability there because there's a charge there.

The problem is that the third party company isn't at fault. Right now, it's only the restaurant, it's only the lounge, it's only the cannabis licensee themselves. They don't have that ability to reach into the operation of the third party, and yet they have the liability that they hold. That's not fair. It places the entire risk of

non-compliance on the retailer. This would change that.

The second thing this does is hire—it allows the LGCA, the Liquor, Gaming and Cannabis Authority to hire minor and young persons. However, we need to qualify a few things. By young persons, we mean 16- to 19-year-olds. Why? So that we can test for compliance with selling to underage persons. So these individuals would be working under the watchful eye, careful supervision of an LGCA inspector.

\* (20:20)

I say this and reinforce this because there has been, in debate, until now, the suggestions that somehow we would expose 16- to 19-year-olds working for the LGCA to danger. That is not the case. I have worked with the CEO, the executive director for the LGCA, who assures that the safety of these young employees would be of the highest priority.

*Mr. Len Isleifson, Acting Speaker, in the Chair*

Also, the member for River Heights (Mr. Gerrard) tried to express that this approach somehow amounts to entrapment, the use of 16- to 19-year-olds to test for compliance to make sure that no one is buying alcohol who or is—no one is selling alcohol to someone younger than the legal limit.

But this is not entrapment because entrapment implies trickery, and there is no trick here. The tool is there to enforce prohibitions that are clearly established and it is the duty of the licensee to comply with it. So, clearly, this is not entrapment.

So, once again, the emphasis on safety. I would want to state as well that BC and Saskatchewan use these same kind of programs and they do it appropriately.

And, finally, there's a small provision here that would allow for the removal of the requirement that liquor marketing representatives, who provide samples at liquor stores, would register with the LGCA. That's an old-fashioned notion. It doesn't really serve any purpose. If stores want to have people sign in and sign out, we believe that that should be the decision and—of the store themselves, but it doesn't serve any purpose for the LGCA. So that is simply a housekeeping change, a red tape reduction key.

Mr. Acting Deputy Speaker, our government is committed to protecting the health and safety of Manitobans. We believe that Bill 60 supports this objective and will ensure that Manitoba's regulatory

framework for liquor, gaming and cannabis better serves Manitobans.

Thank you.

**Ms. Nahanni Fontaine (St. Johns):** Again, I just—because I know that even for our colleagues that are virtual, nobody clapped for the minister just now, so—*[interjection]* Oh, there we go. There we go. Now he's getting some claps. Like I said previously, I think that even his own caucus members are not really appreciative of his legislative agenda.

Deputy Speaker, we've brought it up several times. You know, it doesn't make much sense that legislation regarding hiring minors was not put in place back when cannabis was first legalized back in 2018. We know that this is just another example of the Premier (Mr. Pallister) and his Cabinet, and now under this minister, of government failing to prepare for changes that they knew were coming.

Not so different than what we saw—what we've seen just in the last many weeks. Everybody knew that a third wave was coming, everybody except for the Premier and his Cabinet and this Minister of Justice (Mr. Friesen). So the bill not preparing for the legalization of cannabis and not preparing for the first or second or third wave of the pandemic seems to be in line with how these members operate.

And so, you know, they—the Premier and his crew, they knew that the Prime Minister was planning on legalizing cannabis, and I know I've shared this a couple of times in the House, I'll share it—well, who knows how many more times I'm going to share it. But I do remember asking the minister—the former minister of Crowns at a Crowns meeting, you know, what they were doing to prepare for the legalization of cannabis. And I think I asked him, like, seven times in a standing—or in a Crowns meeting, and he just kept deflecting and deflecting the answer. He wouldn't answer it.

And again, I think that that answer is really important to put on the record because it shows this continuity among all of the PC caucus about not wanting to lead, not wanting to do their jobs, not wanting to prepare for the inevitability of what's coming to Manitoba.

And, you know, let me just put on the record here that, you know, today is another difficult day for Manitobans. We have additional restrictions that have been announced today and—you know, I did a video this week just saying, like, I get it, like, there are so many Manitobans that are struggling, just

emotionally exhausted. You know, I particularly feel for Manitobans who are single, like, and I mean single in the sense of, like, they live on their own and, you know, for the last 14, 15 months they're alone. And at least they were able to have one person come to their house and visit, and now that's been taken away. And, you know, in the same way that the government didn't prepare for cannabis, the government has not been preparing for the third wave.

And so here we are again on another day of restrictions, additional public health measures. We're all tired. Every—Manitobans are tired, so tired. Manitobans have shown up day after day, month after month, have listened to—for the most part have listened to the public health measures. People have stayed away from their families; people—parents have stayed away from their kids.

And this government hasn't done the same thing. It hasn't shown up. It hasn't prepared for the inevitability of the third wave, and we are all meant to suffer because of that.

And so, Deputy Speaker, I'll keep my comments short and brief because it's been a long day, and this is, like, I don't know, like I said, my 90th bill on Justice here, and—but I think it bears stating in the House that Manitobans deserve better. Manitobans deserve a government and deserve ministers that are actually going to fight for them, that are actually going to stand up for them, that are actually going to do the things that they need to do to protect them. They're actually going to do the things that will help with their mental health and get us back to our friends and our family and doing the things that we love. That's what Manitobans deserve. That's what I want. I want a government that puts my best interest and the best interest of all of us forward and not, you know, put themselves first selfishly.

So I want Manitobans to know I get it. Today is a difficult day. Know that, you know, I stand with you. Our caucus stands with you. It's only a little bit longer. Please get vaccinated.

Miigwech.

**Hon. Jon Gerrard (River Heights):** I want to put a few comments and I want to address the situation of use of minors to go deliberately into establishments which are selling liquor or cannabis to purchase liquor, for example, and whether or not this is entrapment.

It is certainly duplicity in this sense that the young person who is going in to buy the liquor is, in this case, not going in because the young person wants the liquor, but because the young person has been asked to go in to see if they can try to buy the liquor.

So the young person is going in there with the sole purpose, not of buying liquor to drink, but the sole purpose of trying to get—identify people who will sell liquor to minors, who will break the law. And yes, it's true that this is important to identify people who are breaking the law, and it is true that it is important to stop people from selling to minors, but, at the same time, I still have questions about the use of minors in this circumstance.

I think that the government should be looking at what the long-term impacts are of having minors go in to try and purchase liquor, not because they want the liquor, but because they want to catch somebody selling liquor to a minor so that that person can be fined or taken to court.

\* (20:30)

I think we need to be very, very careful with this. It certainly—it doesn't have the sort of, you know, ability to pass the normal smell test. I think that there must be better ways to do this than to have minors trying to do things which they're not really wanting to do; that is, to purchase the liquor to drink it.

That is certainly deceptive, and I don't really think it's a good idea to be training minors to be deceptive in this way. That, I guess, is something that we're going to find out because the government is going to pass this bill and proceed with it even though we on our side have some objections.

So we won't support this legislation but we rather would like to watch very closely to see how this process works out and what impact it has on the minors who are being asked to do this, really, under false pretenses because they are not really trying to buy liquor to consume it, they are trying to buy liquor in order to catch somebody out.

Thank you.

**The Acting Speaker (Len Isleifson):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Len Isleifson):** I hear a no.

### Voice Vote

**The Acting Speaker (Len Isleifson):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Len Isleifson):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Len Isleifson):** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division, please.

**The Acting Speaker (Len Isleifson):** Okay. The motion's accordingly passed, on division.

### Bill 61—The Apprenticeship and Certification Amendment Act

**The Acting Speaker (Len Isleifson):** We will now move on to the honourable Minister of Economic Development and Jobs, to move concurrence and third reading motion for Bill 61.

**Hon. Ralph Eichler (Minister of Economic Development and Jobs):** I move, seconded by the minister of 'indignous' and northern relations, that Bill 61, The Apprenticeship and Certification Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and now be read for a third time and passed.

**The Acting Speaker (Len Isleifson):** It has been moved by the honourable Minister of Economic Development and Jobs, seconded by the honourable Minister of Indigenous and Northern Relations (Ms. Clarke), that Bill 61, The Apprenticeship and Certification Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and now read for a third time and passed.

**Mr. Eichler:** I am pleased to rise today for the third reading of Bill 61, The Apprenticeship and Certification Amendment Act. This bill addressed several recommendations of a 2017-2018 review that identified significant administrative burden within Manitoba's apprenticeship and certification system. This bill also includes changes that will bring greater clarity to the pathway for designated occupations which is introduced under the act in 2018.

To begin with, the review identified that slow-moving updates to the Red Seal and provincial

training standards are frustrating for industry stakeholders and cause Manitoba to lag behind other jurisdictions in harmonization efforts. Changes introduced in this bill will enhance industry engagement through permanent sector-based committees, as opposed to 55 trade-pacific provincial advisory committees.

As a member of the Red Seal Program, Manitoba follows the standards that are established through the Red Seal wherever possible. In many cases, Manitoba has implemented program standards above the Red Seal and will continue to do so on the advice of the industry. The review also demonstrated how a majority of Canadian jurisdictions have moved away from heavy regulated apprenticeship and certification system.

Thank you, Mr. Acting Deputy Speaker.

**Mr. Tom Lindsey (Flin Flon):** It's kind of a shame that on a night when we've seen the highest yet case number for COVID in this province, we've seen the failings of the government when it comes to health care, that we are here talking about attacking working people yet again.

This government should be doing everything in their power to support working people, particularly during this pandemic that they've bungled, mismanaged. But as we get ready to come out of a pandemic at some point in time, in spite of this government's mismanagement, they should be ensuring that our workforce is the most highly trained, most effective, safest workforce in Canada, bar none.

Our Manitoba workers right now, particularly when we talk about tradespeople, are respected throughout the country. They're respected throughout industry, because we actually train them above the national standard. When you have a Red Seal in this province, it's something for you to be proud of. It's something that's recognized, that a Red Seal coming from Manitoba is worth hiring because they have better training, they have better standards.

But this government sold Manitobans out. Particularly, they've sold out apprentices. We've seen them change the ratios so that it's no longer one-to-one. Now you can have two apprentices with one tradesperson, and the tradesperson no longer has to be anywhere near the apprentice. Imagine, Mr. Acting Deputy Speaker, somebody about to do something wrong that could potentially cause them to get killed, and the closest they have to somebody who's supposed to be training them and overseeing them and watching

them and keeping them safe is maybe a phone, maybe a radio. That is totally unacceptable.

When I talk about this government selling out workers, they brought in these changes specific to the apprenticeship to meet their obligations to the New West Partnership and a Canada-wide free trade agreement. When we were in government, we took the principle stand and said we're not going to allow our workers to be trained to a lower standard just to meet some bogus concept of free trade.

When we talked to the former minister about particularly the Canada-wide free trade agreement and why he didn't build any protections in for Manitoba workers, for Manitoba industry, for Manitoba, period, his answer was, well, we thought if we didn't build anything in, we thought if we didn't do anything to protect our workers, everybody else would be dumb enough to follow along. Well, guess what, Mr. Acting Deputy Speaker, this government was the only ones that were dumb enough to do that.

They didn't build protections in for Manitoba workers, and this bill is another step down the road of ensuring that maybe their friends at Merit Contractors will be able to bring in workers from all over Canada, all over the world, potentially, that aren't trained, that aren't qualified, simply so that those particular contractors can make more money and leave Manitobans further behind.

\* (20:40)

You know, when we had the committee meeting on this particular piece of legislation, industry, labour, apprentices, trainers all agreed that there needed to be amendments made. We talked to the minister that night about amendments, about actually listening to what people had to say at committee. He chose to ignore all of that, and I suspect because that's what he was told to do. Because we all know who drives that sinking ship across the way. Although, they're all guilty. Make no mistake about it.

We should have been strengthening training requirements, strengthening safety requirements for Manitoba workers. With their abandoning the project labour agreements, with their changing the apprenticeship ratios, with changes to Workers Compensation Act, with changes to the workplace health and safety act, with less inspectors doing less inspections, the only thing this government has guaranteed is that workplaces will be less safe and Manitoba workers will be less qualified.

Each and every one of those members opposite should be ashamed of themselves. Maybe none of them have children that someday will be going into the trades. Maybe in their rarefied world all their children will be doctors and lawyers. Those seem to be the only people they haven't attacked yet, by the way, are doctors; they got a raise, they didn't have to follow the rules of bill 28 that attacked other workers. Judges got a raise; they didn't have to follow the rules that they subject to other workers.

And yet here we are, yet again, watching this government destroy Manitoba, destroy the Manitoba that so many people put so much effort into building and making it a great province, making it an affordable province, making it a preferred work location, making workers coming from here preferred workers.

This government is working at undoing all of that, so that their buddies, their friends, can make more money.

Mr. Acting Deputy Speaker, if that's the kind of friends they have, I'll want none of it. I'd sooner have no friends than have friends like that.

So with those few words, it may not come as much of a surprise, we're not voting to support this particular piece of legislation.

**Ms. Cindy Lamoureux (Tyndall Park):** It's nice to rise virtually here, just for a few more minutes, to talk about why we cannot support The Apprenticeship and Certification Amendment Act.

Firstly, Mr. Deputy Speaker, this bill isn't consistent of the governance structure. This bill takes power away from the boards and hands it to the minister to have more decision-making power.

Secondly, we're concerned about how the bill changes the frequency just in how often the board would need to submit strategic plans. This legislation changes strategic plan submissions from annually to every five years, and I think this is a step backwards because it is crucial to any organization that for strategic planning to be done properly and adequately there needs to be some accountability, transparency and frequency.

Thirdly, Mr. Deputy Speaker, the bill also amends a governance of the apprenticeship board by repealing the provisional advisory committees and standing committees. This is essentially done by enabling the board to establish committees and to establish apprenticeship programs for voluntary trades and certification programs.

Ultimately, there's a lot of concern that this government is yanking power away from people who would have a lot more experience, a lot more intel, a lot more reason to be making these decisions. And I would argue that this bill deters tradespeople from learning and working in our province. We need to be doing the opposite. We need to be providing incentives for people to remain in our province.

And just before wrapping up, Mr. Deputy Speaker, I want to point out how we are exceptionally proud of our tradespeople here in Manitoba. Manitoba is known to have the best tradespeople. Other provinces seek out our tradespeople, hire on our tradespeople. And I think this is really telling, and I think that we should be maximizing on what's working and not changing what isn't working. What we need to change what isn't working to be better, and this legislation is a step backwards in this.

Thank you for the opportunity to speak. Thank you.

**The Acting Speaker (Len Isleifson):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Len Isleifson):** I hear a no.

#### Voice Vote

**The Acting Speaker (Len Isleifson):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Len Isleifson):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Len Isleifson):** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote.

**The Acting Speaker (Len Isleifson):** A recorded vote having been requested, call in the members.

\* (20:50)

The question before the House is Bill 61, The Apprenticeship and Certification Amendment Act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Mickelfield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 32, Nays 21.

**The Acting Speaker (Len Isleifson):** The motion is accordingly passed.

#### CONCURRENCE AND THIRD READINGS— AMENDED BILLS

*(Continued)*

#### Bill 3—The Public Service Act

**The Acting Speaker (Len Isleifson):** I will now call upon the honourable Minister of Central Services to move concurrence and third reading motion for Bill 3.

**Hon. Reg Helwer (Minister of Central Services):** I move, seconded by the Minister of Municipal Relations (Mr. Johnson), that Bill 3, The Public Service Act; Loi sur la fonction publique, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Helwer:** I'm very pleased to rise for the third reading of Bill 3. The bill repeals The Civil Service Act and replaces it with The Public Service Act. While there have been amendments to the legislation over time, this act has not been significantly reformed in 135 years.

The public service will now benefit from the new legislation that reflects today's life. This is a new act for a new context. Our government is modernizing this important legislation to accurately reflect the laws that exist in the 21st century, reduce duplication and emphasize values and ethics across the public service.



We have come a long way and The Public Service Act reflects all these modern realities, including explicitly recognizing the value of diversity, inclusively-inclusivity and respect and ensuring public servants uphold these values in the workplace.

I was pleased to hear that presenters at committee were supportive of this values-driven approach.

Thank you, Mr. Acting Deputy Speaker.

**Mr. Tom Lindsey (Flin Flon):** Here we go again: complete utter nonsense. This civil service act completely changes a perfectly good piece of legislation that has worked for the province of Manitoba for 100-and-some years. What this piece of legislation does, though, is really shows Manitoba's public servants that they think no more of them than they do any other worker in this province.

\* (21:00)

In the middle of a pandemic they stand up and say, oh, thank you, you're heroes, how can I—how can I hurt you? How can I freeze your wages? How can I lay you off? How can we disrespect you in as many ways as we can possibly think of? Oh, I know, let's come up with a new piece of legislation that doesn't recognize anybody's realities but this government's.

It doesn't recognize the hard work and dedication that our civil servants have put in for many years. This particular piece of legislation touches on every aspect of a civil servant's life. It touches on how their union functions. It touches on things like seniority, the very basis to remove barriers and the very things that caused unions to form in the first place—that my brother-in-law's cousin needs a job, needs a promotion, so let's move him on up.

Because this piece of legislation very specifically talks about merit—not their political Merit friends, the ones that give them money and get favours in return, not that Merit. Now we're talking about how to reward people based on who you know rather than based on loyalty, doing a good job, working there for a long period of time, learning what you're doing, knowing what you're doing. This government likes to make sure that they throw a fox in the henhouse every chance they get, particularly when it comes to the civil service. They want to make sure that workers have no sense of security with the civil service.

Mr. Acting Deputy Speaker, they've done away with the Civil Service Commission, replaced it with a Civil Service Commissioner, with no commission, doesn't exist anymore. The minister, the deputy

minister and this commissioner will have all the power.

It's odd that they've even tried to interfere with people who decide they want to run for political office. The deputy minister will get to decide if they're entitled to take time off to run for politics. Based on what? Well, it doesn't say in there. I guess based on who you know, which party you think you're going to run for, which party these folks across the way will make sure that they promote those folks and let them have time off. Somebody that has an alternate point of view may choose to run for a different party, maybe not. Maybe they won't get time off because the deputy minister will decide no, can't have it.

And you know what's even more egregious? No guarantee of a job when you're done with politics. No guarantee that you have a job to come back to. What kind of shameful government is that, that shows such disrespect for somebody who's doing the same job that they're going to do?

You know, I came out of the private sector, and thank heavens I had a strong union that negotiated the fact that I had job to come back to if I was done with politics. I either got beat or chose not to run again, I had a job to come back to. My seniority was still there. My position was still there.

Not with this government, they'll have none of that. They want to make it as impossible as they can to be a worker in the public service and yet stand up for Manitobans to do what you think is the right thing. Shameful.

You know, we've heard ministers talk about having a professional civil service that's separate from the politicians is vital to democracy, and yet that's not what they've done. They've introduced anti-democratic actions in this new civil service act to make sure that they as politicians keep their thumb on the workers. Shameful behaviour.

So, once again, it probably comes as no surprise, Mr. Acting Deputy Speaker, we will not be supporting this piece of legislation either.

Thank you.

**Ms. Cindy Lamoureux (Tyndall Park):** I'll keep my remarks short here. I just wanted to share how we often talk lots about the benefits of participating in politics, and we—well, most of us typically encourage people and create volunteer opportunities for people, knowing that having people engaged in our democracy contributes heavily to our society and our

economy and in educating Manitobans throughout the province.

And knowing this, we don't quite understand why the government is bringing forward this legislation and making it more difficult for people to participate in our political system.

And we hope that the government will reconsider this bill by withdrawing it so their actions align with their words.

Thank you, Mr. Deputy Speaker.

**The Acting Speaker (Len Isleifson):** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Len Isleifson):** I hear a no.

#### Voice Vote

**The Acting Speaker (Len Isleifson):** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**The Acting Speaker (Len Isleifson):** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Len Isleifson):** In my opinion, the Yeas have it.

#### Recorded Vote

**Mr. Matt Wiebe (Concordia):** Recorded vote.

**The Acting Speaker (Len Isleifson):** Recorded vote having been requested, call in the members.

\* (21:10)

The question before the House is Bill 3, The Public Service Act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 32, Nays 21.

**The Acting Speaker (Len Isleifson):** The motion is accordingly passed.

#### CONCURRENCE AND THIRD READINGS

*(Continued)*

#### Bill 8—The Pension Benefits Amendment Act

**The Acting Speaker (Len Isleifson):** I will now call upon the honourable Minister of Finance to move concurrence and third reading motion for Bill 8.

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Deputy Premier (Mr. Goertzen), that Bill 8, The Pension Benefits Amendment Act, reported from the standing committee of Legislative Affairs, be concurred in and now read for a third time and passed.

**The Acting Speaker (Len Isleifson):** It has been moved by the honourable Minister of Finance, seconded by the Deputy Premier, that Bill 8, The Pension Benefits Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Mr. Fielding:** I'm pleased to rise today for third reading of Bill 8, The Pension Benefits Amendment Act. The bill makes a variety of important amendments to The Pension Benefits Act that'll afford greater flexibility of locked-in rules, solvency deficiencies, funding rules and division of pension assets after relationship breakdown.

Changes to the locked-in rules introduced under the bill means that Manitobans who are experiencing financial hardship will be able to access their funds under prescribed criteria. My office and the Office of the Superintendent-Pension Commission, has received numerous requests from individuals anticipating the passage of this bill, Mr. Deputy Speaker.

Keeping in mind that pension plans are long-term vehicles, changes to the solvency funding rules would address funding challenges faced by planned sponsors due to market downturns, declines in long-term rates used to calculate solvency liability, and improvements in life expectancies, which will have led to increased and volatile solvency payments. We have heard from

plan sponsors on the challenges they are facing during the pandemic and they have identified this measure as a priority, Mr. Deputy Speaker.

\* (21:20)

*Mr. Doyle Piwniuk, Deputy Speaker, in the Chair*

The proposed changes related to the division of pension assets due to relationship breakdown would allow for further flexibility, dividing pension assets based on their individual circumstances and transfer of the responsibility of the division of assets to the courts, which is more appropriate. The bill also proposes minor administrative changes to help reduce red tape and improve processes.

Lastly, the bill will continue to support the strong framework for pensions and secure, stable retirement income for all Manitobans.

Thank you, Mr. Deputy Speaker.

**Mr. Tom Lindsey (Flin Flon):** You know, there's an old saying that says beware of wolves in sheep's clothing. Now, I understand there's been quite a run down at the sheep clothing store by the PC caucus, because with this particular piece of legislation, they're pretending to be your friend, but they're not. Make no mistake about it, Mr. Deputy Speaker, they have not got the workers' best interests at heart in this.

This bill allows funding for pensions to not be maintained at 100 per cent. It allows it to go down to 85 per cent, which means, contrary to what this minister would like you to believe, that your pension could be in jeopardy. We've seen it. Giant conglomerate like Sears goes out of business; what happened to the workers' pension? Gone.

You know, if they wanted to do something to be your friend, they could have introduced legislation that put workers at the top of the order when it comes to bankruptcy protection. They didn't do that. What they've done is said, you know what, let's figure out how we can weaken pensions.

So, first they attack working people, lay them off, do all these nasty things that we've talked about. So now all of a sudden you got bills to pay. Well, let's let you unlock your pension funds to meet your immediate needs. Now, down the road, all of a sudden your pension isn't there because you've spent it already.

You know, that's one of the great things that unions did was negotiate defined benefit pension plans to make sure that when workers were ready to

retire, there was sufficient funds in a plan to make sure they got a pension.

Now, this bunch is all beaking off across the way that, oh, it's your money. Yes, it is your money.

And it's your money to be held in trust until you actually need it to retire. But there's no trust across the way because they don't want you to retire with a decent pension. They want to make sure that you have nothing. That's their whole mantra, is attack working people every chance they get—[interjection]

**Mr. Deputy Speaker:** Order.

**Mr. Lindsey:** —and they continue to do that and they're proud of themselves for doing it. They think, you know, that you don't need a pension. We'll make sure we freeze your wages year after year after year so that you can't afford to make your mortgage payments, you can't afford to pay the rent. Now you'll take money out of your pension so that you can't afford to live when you retire.

Thank you very much, we don't need friends like that. We need people that will stand up for working people, to make sure that they can negotiate good wages, to make sure they can negotiate strong pensions, to make sure that they don't have to take that money out today so that it'll be there for them tomorrow. But that's not what this bunch is doing.

You know, I've talked to working people and I've realized that the bunch across the way don't talk to working people because they don't think they matter. But I've talked to working people that took their pension out because some money manager somewhere, probably one of their friends, told them they could do a better job of making sure that they got more money. Well, guess what? The money manager made money. He did quite well.

And then I saw those same workers a year later, working at Walmart. Said, what the heck? Why are you working here? Well, I lost all my pension money. My guy that was going to look after me looked after himself and not me. And that's the benefit of a defined benefit pension plan that's well funded, strong. It's there for you when you retire.

So who else loses out under this new revised friendship scheme they've dreamt up? It's women who, very traditionally, have been the stay-at-home mom who thinks that the significant other's gone to work and got this pension. But along the way, they've taken that money out and spent it on, well, I need a

new truck and I need a new house and maybe I need a cottage.

All of a sudden, now, there's a breakdown in the marriage. That pension fund isn't there to be shared anymore. It doesn't exist. It's disproportionately going to affect those who need it the most. And that's shameful on the part of this government, that they want you to take your money out now, spend it at their friend the banker's house, not looking after yourself.

**An Honourable Member:** You don't trust people at all, do you? You hate people.

**Mr. Lindsey:** So—oh, I hear the minister across the way saying that I hate people. Well, I beg to differ. It's that bunch across the way that hate working people.

So, you know, they had an opportunity, again, to do something, to strengthen pension laws, to make sure that they're fully funded, to make sure that they're there, to make sure that, in a bankruptcy proceeding—which a lot of corporations use specifically to get out of their pension obligations. We've seen that with things like Air Canada where, oh, we're going bankrupt; we've got to, you know, gut the workers' pension because they didn't fund it properly along the way.

And we can thank Conrad Black for a lot of the problems with defined benefit pension plans because he hit on this great plan to take the money out of those funds and use it for his own purposes rather than leaving the surplus there to help the fund grow.

And these bunch want to make sure there's no surplus, no fund, no pension. So beware: when you think they're your friend, they are not.

Thank you.

**Mr. Deputy Speaker:** Now I'll recognize the honourable member for Tyndall Park (Ms. Lamoureux)—or for St. Boniface, sorry.

**Mr. Dougald Lamont (St. Boniface):** When this bill was first introduced, we expressed our concerns about it, simply because for several years now, I've been worried about, and many others have been worried about, all sorts of economic challenges for people and the possibility that we could be facing seriously economically challenging times, which we are.

And the thing that I was particularly concerned about at the time, although this was pre-pandemic when this bill was originally—was first introduced and I was briefed on it, was that—the risk for people breaking out their pensions at the age of 55 or

breaking out their pensions at the age of 65, essentially out of desperation. And, I think that's what's really important.

Again, at committee, we had a number of people presenting, very few in favour of the changes to this bill. There was one gentleman who was in favour, clearly because he was—he said he had—wanted to be able to access his money immediately.

But one of the things we talk about very often is the fact that people are living longer. So you'll have people who are living into their 60s, 80s, who are—sorry, living into their 80s and 90s and even beyond that. So how are they actually going to be able to support themselves with—if they don't have a proper pension, if they're not working?

And a lot of people have said, well, you know, because we're all living longer, we can all work longer. But in many cases, that's not necessarily realistic or fair. There are people in their 70s who've had to go back to work and are working cleaning up—you know, cleaning in hospitals, I've heard, because they don't have enough money to retire. A huge proportion of Canadians don't have enough money to retire.

And though it wasn't at—the Finance Minister's argument changed. He had one argument at the bill briefing and another one when it came to committee. And at committee he said, well, isn't it the case that, you know—shouldn't people be able to break out and cash out their savings essentially at the age of 55 if they're facing unexpected medical costs, unexpected dental costs, helping somebody go to school or problems paying their mortgage. Well, it's easier burning the furniture.

\* (21:30)

How is that person ever going to be able to recover those losses to deal with something that is essentially an emergency, that is, in fact, the exact sort of thing that government programs could prevent if we actually had medical—adequate medical coverage or adequate dental coverage or adequate Pharmacare coverage or if we had programs that actually helped people with their debt. But we're seeing the opposite of that.

And my father was an investment executive. He was the CEO of Richardson Greenshield and he was a lawyer, and he was the head of the Investment Dealers Association, and he used to sue people who cheated their clients. And they are out there because there are people out there who—there's a family friend, had

\$250,000 as a nest egg, and one day they couldn't figure out why their interest was going down and down and down—because they only had \$20,000 left because the person who worked for the investment firm had been trading back and forth without their knowledge and had burned all their money away while taking all of it in commissions.

Now, my father helped sue them. They won. They got their pension back. But there's no guarantee that that's going to happen because there's lots of ways in which these things—money can be lost in ways that are perfectly legal and that there are enormous risks, even for expert investors, in—especially in today's market.

This is a bill that ultimately is playing on people's desperation and denying people help and forcing them to burn through what they've earned and what they need to live in retirement, that they never, ever see again. So this not a bill—and if there were limits on it, we actually said, look, even if there were possibilities that there were—let's say if you said if you have an enormous quantity of—and you could be—a massive amount of funds locked into an account, you could break that out and it would make sense. But most people don't. Most people don't. And people's needs are growing and growing and growing.

So I'll just say this is a very bad bill and we will be opposing it.

**Mr. Deputy Speaker:** Any further speakers?

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

#### Recorded Vote

**Mr. Matt Wiebe (Concordia):** Recorded vote, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** A recorded vote has been requested. Call in the members.

The question before the House is—oh—before we start the vote, can everybody make sure, if you're on virtual, to get the headsets on. It's very hard for the clerks to hear your vote. So I would encourage you to take a few seconds to make sure your mic's on—your headset's on.

Okay. We'll go on to the vote here.

The question before the House is concurrence and third reading of Bill 8, The Pension Benefits Amendment Act.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.*

\* (21:40)

**Clerk (Ms. Patricia Chaychuk):** Yeas 33, Nays 21.

**Mr. Deputy Speaker:** The bill is accordingly passed.

#### Bill 11—The Workplace Safety and Health Amendment Act

**Mr. Deputy Speaker:** So, I will now call upon the honourable member for—Minister of Finance to move the concurrence and third reading of Bill 11, The Workplace Safety and Health Amendment Act.

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Deputy Premier (Mr. Goertzen), that Bill 11, The Workplace Safety and Health Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Fielding:** I'm pleased to once again rise for a third time for reading of Bill 11.

I'm very happy to see the legislation move through the legislative process. The legislation prioritizes the safety of workers while reducing unnecessary duplication with SAFE Work Manitoba.

It will reduce administrative burdens for government and ensure timely resolution of complaints, while strengthening collection provisions and penalties for offences, Mr. Deputy Speaker. It will also modify terminology to reduce confusion with discrimination provisions contained in The Human Rights Code.

Thank you, Mr. Deputy Speaker.

**Mr. Tom Lindsey (Flin Flon):** Certainly, this isn't as bad a piece of legislation as the last one we got. *[interjection]* That doesn't mean it's a good piece of legislation. It certainly had the opportunity. This government had the opportunity; the minister had the opportunity to make things better, but missed the mark yet again.

So what could he have done to make this piece of legislation better? Well, could have strengthened some of the mental-health protections; didn't do it.

What else? What else could he have done? Comprehensive strategy to address asbestos issues; one of the leading causes of workers to die is asbestos. Did they do anything with that? No, didn't do it. A five-year review plan to replace the current one? Well, I don't think I want this bunch reviewing legislation because they generally make it worse, so let's wait a couple years until we're in government and then we'll make it better.

So did they make better training for health and safety committee members? No. So what's one of the keys to making a safer workplace? Strong, functioning health and safety committees, joint committees, that have, say, have authority, but have knowledge so that they can function properly. But they didn't want to have that happen.

So did they bring in timely and preventative-oriented investigations? Well, no, they didn't. No one—and I took part over the years in a lot of serious accident investigations and fatality investigations, inquests; that really, this act should prevent all that stuff. It should build on recommendations from those accidents, from those incidents, from those deaths, to make legislation better. But the Infrastructure

Minister said, well, it's not the government's job to protect workers; it's got nothing to do with them.

Well, it does. Because if we leave workplace health and safety up to employers, it's not their prime objective. Their prime objective is to make money for their shareholders. Any employer that stands up and says safety is our first priority is lying to you. Their first priority is to make money and stay in business. That's where the government needs to step in and make it their priority to make sure workplaces are safe, to make sure that the rules are there, to make sure that people are following those rules. They didn't do it. Missed the mark.

One of the first things this government did when they came into being was get rid of the workers or the workplace advisory committee—which was a joint committee between workers, employers, regulators—to make sure that workplaces' rules were safe and were the best rules that they could be. But they got rid of that because they didn't want to listen; they wanted to make sure that employers could save money, not necessarily provide safer workplaces.

So, personally, I took part in the minister's advisory committee, particularly on the operation of mine regulation, and the remarkable thing about that committee is we came to consensus on how to make that regulation in particular better for employers, for workers, for governments. But this bunch did away with all of that. Shame on them.

\* (21:50)

They say, well, we're going to introduce—or, increase the fine level so that workplaces that are found guilty, we can fine them more money. Of course, when's the last time a workplace got fined the maximum amount of the existing rules? And we fought long and hard to get that amount moved up many years ago, but the government fails to enforce it.

So while this isn't the worst piece of legislation that this government has ever introduced—and I probably shouldn't say that because probably next time they'll try and make it one of the worst ones that they've introduced.

So, opportunity missed. Opportunity missed to respect workers, to make sure that workplaces were safe. Didn't do it, which is too bad because when the government turns a blind eye to workplace health and safety, workers die. When they don't do the proper inspections, workers get hurt. When they don't do the proper investigations, they haven't got a hope of

making the regulations better and stronger. When they won't listen to people that are getting hurt, when they won't listen to people that represent those folks, more folks will get hurt.

When they did things with the compensation act to make it harder for workers to get compensation and to limit how much money they can get when they're on compensation, they make it harder for workers. I don't know why they hate workers so much, but they do.

So I'll keep pushing this minister to do the right thing, maybe introduce legislation that actually respects working people and actually makes workplaces safer. Maybe it could be a legacy that the minister could leave that he's stood up to his Premier (Mr. Pallister) and said, you know what, the member from Flin Flon was right, we need to make workplaces safer and I want to be the champion of that, he's going to tell the Premier. All right, time to wake up because that's not going to happen.

So, with those few words, we won't be supporting this legislation either.

**Mr. Deputy Speaker:** I recognize the honourable member for Tyndall Park.

**Ms. Cindy Lamoureux (Tyndall Park):** Thank you, Mr. Deputy Speaker, for the opportunity to put a few words on the record.

You know, every person who will experience a workplace injury experiences it differently, and the concept of assigning a six-month timeframe for a person to come forward can be daunting and incredibly limiting. And for various reasons, people may not feel comfortable coming forward immediately. And people are entitled to have their reasons.

For example, people may feel embarrassed, others may feel like they won't be believed if they come forward, others may be fearful or nervous about their job security if they come forward. Whatever the reason may be, I'm apprehensive having a set date on the ability to bring forward a 'reappraisal'.

This bill also allows the director to dismiss an appeal of a decision by a safety and health officer if the director deems it to be frivolous or vexatious, and this is the language used in the bill, Mr. Deputy Speaker. It is incredibly important to people who are putting forward claims are being given fair treatment, and for legislation to have undefined terms of frivolous or vexatious—there's just too much left open for interpretation.

This bill leaves lots of questions. What about those who have been approved for cases historically? Would they still be approved now? How will the director determine if an appeal is frivolous or vexatious? What are the definitions between, behind these two words? Is it a personal opinion? What about someone who has submitted more than one appeal? Is there a concern that they may be treated as fairly as someone who has submitted their first appeal or second appeal? And what about a person who may not articulate their appeal the way a director would like to be able to read it?

Ultimately, we do not feel this legislation enhances our Workplace Safety and Health Amendment Act and we will not be supporting it.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Anyone—anything—further speakers?

Is the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

#### Recorded Vote

**Ms. Nahanni Fontaine (Official Opposition House Leader):** A recorded vote, Deputy Speaker.

**Mr. Deputy Speaker:** A recorded vote has been requested. Call in the members.

\* (22:00)

The question before the House is concurrence and third reading of Bill 11, The Workplace Safety and Health Amendment Act.

### Division

*A RECORDED VOTE* was taken, the result being as follows:

#### Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.

#### Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

**Clerk (Ms. Patricia Chaychuk):** Yeas 33, Nays 21.

**Mr. Deputy Speaker:** The motion is accordingly passed.

\* \* \*

**Mr. Deputy Speaker:** The hour being past 10 p.m., as previously agreed by the House, there is no further debate on the remaining concurrence and third reading motions for specified government bills.

The minister is to move the concurrence and third reading motion without debate and the question is to be put immediately.

If there are any requests for a recorded vote, the bells cannot only—can only ring for one minute. The bills remaining for—on the list conclude bills 21, 5, 6, 30, 32, 17, 15, 53, 20, 23, 22, 25, 34, 36, 52 and 55.

### Bill 21—The Conflict of Interest (Members and Ministers) and Related Amendments Act

**Mr. Deputy Speaker:** I recognize the honourable Minister of Legislative and Public Affairs.

**Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs):** I move, seconded by the Minister of Education (Mr. Cullen), that Bill 21, The Conflict of Interest (Members and Ministers) and Related Amendments Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** The honourable minister of legislative—[interjection] Oh, there's no—okay.

The question before—is the red—is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** Yes. Okay, this—is it the pleasure of the House to adopt the motion? [Agreed]

Okay, now—I declare the motion carried.

Sorry, this is the first one here, so be patient with me. It's going to go faster.

### Bill 5—The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee)

**Mr. Deputy Speaker:** Okay, now I will recognize the honourable member for—Minister of Justice.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister for Infrastructure, that Bill 5, The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee), reported from the standing committee of Justice, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division, Deputy Speaker.

**Mr. Deputy Speaker:** I declare the motion carried, on division.



**Bill 6—The Liquor, Gaming and Cannabis Control Amendment Act**

**Mr. Deputy Speaker:** So now we go on to—I now recognize the honourable member—minister for Justice.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister for Mental Health, Wellness and Recovery, that Bill 6, The Liquor, Gaming and Cannabis Control Amendment Act, reported from the standing committee of Justice, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division, Deputy Speaker.

**Mr. Deputy Speaker:** I declare the motion carried, on division.

**Bill 30—The Consumer Protection Amendment Act**

**Mr. Deputy Speaker:** No we'll go on to—now I'll recognize the honourable Minister of Justice. Oh, sorry. Okay, the honourable Minister of Finance.

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Minister of Justice (Mr. Friesen), that Bill 30, The Consumer Protection Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and now be read for a third time and passed.

**Mr. Deputy Speaker:** It was printed wrong on my paper here.

*Motion presented.*

Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

\* (22:10)

**Bill 32—The Election Financing Amendment and Elections Amendment Act (Government Advertising)**

**Mr. Deputy Speaker:** So now we'll go on to Bill 32. I recognize the honourable Minister of Legislative and Public Affairs.

**Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs):** I move, seconded by the Minister of Crown Services (Mr. Wharton), that Bill 32, The Election Financing Amendment and Elections Amendment Act (Government Advertising), reported from the Standing Committee on Legislative Affairs, be concurred in and now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division.

**Mr. Deputy Speaker:** I declare the motion carried, on division.

**Bill 17—The Drivers and Vehicles Amendment Act**

**Mr. Deputy Speaker:** Now we'll go on to Bill 17. I recognize now the honourable Minister of Infrastructure.

**Hon. Ron Schuler (Minister of Infrastructure):** I move, seconded by the honourable Minister of Indigenous and Northern Relations (Ms. Clarke), that Bill 17, The Drivers and Vehicles Amendment Act, as reported from the Standing Committee on Legislative Affairs—no changes—be concurred in and now be read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

**Bill 15—The Manitoba Public Insurance Corporation Amendment Act (Claim Dispute Tribunal)**

**Mr. Deputy Speaker:** Now we'll go on to Bill 15, and I recognize the honourable Minister of Crown Services.

**Hon. Jeff Wharton (Minister of Crown Services):** I move, seconded by the Minister of Municipal Relations (Mr. Johnson), that Bill 15, The Manitoba Public Insurance Corporation Amendment Act (Claim Dispute Tribunal), reported from the Standing Committee on Social and Economic Development, be concurred in and now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** Deputy Speaker, on division.

**Mr. Deputy Speaker:** I declare the motion carried, on division.

**Bill 53—The Municipal Statutes Amendment Act (2)**

**Mr. Deputy Speaker:** Now we'll go on to to bill 23—*[interjection]*—53—sorry.

The honourable Minister of Municipal Relations—so, the staple is right there, so I can't see. Ha, ha.

The honourable Minister of Crown—of Municipal Relations.

**Hon. Derek Johnson (Minister of Municipal Relations):** Yes, I forgot to unmute. And my apologies.

I move, seconded by the Minister of Infrastructure (Mr. Schuler), that Bill 53, The Municipal Statutes Amendment Act (2), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear agreed and I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On division, Deputy Speaker.

**Mr. Deputy Speaker:** I declare the motion carried, on division.

**Bill 20—The Vehicle Technology Testing Act  
(Various Acts Amended)**

**Mr. Deputy Speaker:** So now we'll go on to Bill 20. I recognize the honourable Minister of Infrastructure.

**Hon. Ron Schuler (Minister of Infrastructure):** I move, seconded by the honourable Minister of Indigenous and Northern Relations (Ms. Clarke), that Bill 20, The Vehicle Technology Testing Act (Various Acts Amended), as reported from the Standing Committee on Legislative Affairs, with no changes, be concurred in and now be read for the third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

I declare the motion carried.

**Bill 23—The Highway Traffic Amendment Act  
(Control of Traffic by Flag Persons)**

**Mr. Deputy Speaker:** Now we'll go on to Bill 23. The honourable Minister of—I recognize the honourable Minister of Infrastructure.

**Hon. Ron Schuler (Minister of Infrastructure):** I move, seconded by the honourable Minister of Indigenous and Northern Relations, that Bill 23, The Highway Traffic Amendment Act (Control of Traffic by Flag Persons), as reported from the Standing Committee on Legislative Affairs, with no changes, be concurred in and now be read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

**Bill 22—The Credit Unions and  
Caisses Populaires Amendment Act**

**Mr. Deputy Speaker:** So now we'll go to Bill 22, and I recognize the Minister of Finance.

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Minister of Education (Mr. Cullen), that Bill 22, The Credit Unions and Caisses Populaires Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

**Bill 25—The Municipal Statutes Amendment Act**

**Mr. Deputy Speaker:** So now we'll go on to Bill 25. I recognize the honourable Minister of Municipal Relations.

**Hon. Derek Johnson (Minister of Municipal Relations):** I move, seconded by the Minister of Crown Services (Mr. Wharton), that Bill 25, The Municipal Statutes Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a third time and passed. *[interjection]*

Minister Schuler's not muted.

*Motion presented.*

**Mr. Deputy Speaker:** Is the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed to the motion, please say nay.

**An Honourable Member:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

I declare the motion carried.

**Bill 34—The University College of the North  
Amendment Act**

**Mr. Deputy Speaker:** So now we'll go on to the next bill, Bill 34. And I recognize the honourable Minister of Advanced Education, Skills and Immigration.

**Hon. Wayne Ewasko (Minister of Advanced Education, Skills and Immigration):** I move, seconded by the Minister of Indigenous and Northern Relations (Ms. Clarke), that Bill 34, The University College of the North Amendment Act; Loi modifiant la Loi sur le Collège universitaire du Nord, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? [*Agreed*]

I declare the motion carried.

\* (22:20)

**Bill 36—The Public Health Amendment Act  
(Food Safety and Other Amendments)**

**Mr. Deputy Speaker:** So now we'll go on to Bill 36—there is another staple. I recognize the honourable Minister of Agriculture and Resource Development.

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** I move, seconded by the Minister of Economic Development and Jobs (Mr. Eichler), that Bill 36, The Public Health Amendment Act (Food Safety and Other Amendments), reported from the Standing Committee on Agriculture and Food, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? [*Agreed*]

I declare the motion carried.

**Bill 52—The Minor Amendments  
and Corrections Act, 2021**

**Mr. Deputy Speaker:** So now we'll go on to Bill 52, and I recognize the Minister of Legislative and Public Affairs.

**Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs):** I move, seconded by the Minister of Finance (Mr. Fielding), Bill 52, The Minor Amendments and Corrections Act, 2021, reported from the Standing Committee on Legislative Affairs,

be concurred in and be read now—be now read for a third time and passed.

*Motion presented.*

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion? [*Agreed*]

I declare the motion carried.

**DEBATE ON CONCURRENCE  
AND THIRD READINGS**

**Bill 55—The Reducing Red Tape  
and Improving Services Act, 2021**

**Mr. Deputy Speaker:** So now we'll go on to Bill 55. The last one.

The question for Bill 55 is question—is it pleasure of the House to adopt the motion? [*interjection*] Oh, okay. Sorry.

Okay, the question before the House is the—concurrence and third reading of Bill 55, The Reducing Red Tape and Improving Services Act, 2021.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it.

**Recorded Vote**

**Ms. Nahanni Fontaine (Official Opposition House Leader):** Deputy Speaker, a recorded vote.

**Mr. Deputy Speaker:** A recorded vote has been requested, call in the members.

The question before the House is concurrence and third reading of Bill 55, The Reducing Red Tape and Improving Services Act, 2021.

### Division

*A RECORDED VOTE* was taken, the result being as follows:

#### Yeas

*Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk.*

#### Nays

*Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.*

**Clerk (Ms. Patricia Chaychuk):** Yeas 33, Nays 21.

**Mr. Deputy Speaker:** I declare the motion accordingly passed.

\* \* \*

**Mr. Deputy Speaker:** And that concludes our last bill. And let's give all the staff: the clerks, let's give the pages, with all the great job they did today, and all the people in the background a round of applause. We got done before 10:30.

**Hon. Brian Pallister (Premier):** On a quick point of order. If we could also pay tribute to our House leaders for the tremendous amount of work they've done in here; that would be appropriate.

**Mr. Deputy Speaker:** So, now we'll get the House ready for the royal assent and we'll take about a five minute recess here. Not even five minutes, I guess.

\*(22:30)

### ROYAL ASSENT

**Deputy Sergeant-at-Arms (Mr. Cam Steel):** Her Honour the Lieutenant Governor.

*Her Honour Janice C. Filmon, Lieutenant Governor of the Province of Manitoba, having entered the House and being seated on the throne, Mr. Deputy Speaker addressed Her Honour the Lieutenant Governor in the following words:*

**Mr. Deputy Speaker:** Your Honour,

At this sitting, the Legislative Assembly of Manitoba has passed certain bills that I ask Your Honour to give assent to:

#### Clerk Assistant (Ms. Monique Grenier):

Bill 3 – The Public Service Act; Loi sur la fonction publique

Bill 5 – The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee); Loi modifiant la Loi sur la réglementation des alcools, des jeux et du cannabis (taxe de responsabilité sociale en matière de cannabis)

Bill 6 – The Liquor, Gaming and Cannabis Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools, des jeux et du cannabis

Bill 8 – The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension

Bill 10 – The Regional Health Authorities Amendment Act (Health System Governance and Accountability); Loi modifiant la Loi sur les offices régionaux de la santé (gouvernance et obligation redditionnelle au sein du système de santé)

Bill 11 – The Workplace Safety and Health Amendment Act; Loi modifiant la Loi sur la sécurité et l'hygiène du travail

Bill 12 – The Crown Land Dispositions Act (Various Acts Amended); Loi sur les aliénations de terres domaniales (modification de diverses dispositions législatives)

Bill 13 – The Public Sector Construction Projects (Tendering) Act; Loi sur les projets de construction dans le secteur public (appels d'offres)

Bill 15 – The Manitoba Public Insurance Corporation Amendment Act (Claim Dispute Tribunal); Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (tribunal de règlement des différends en matière de demandes d'indemnisation)

Bill 17 – The Drivers and Vehicles Amendment Act; Loi modifiant la Loi sur les conducteurs et les véhicules

Bill 18 – The Workers Compensation Amendment Act; Loi modifiant la Loi sur les accidents du travail

Bill 20 – The Vehicle Technology Testing Act (Various Acts Amended); Loi sur la mise à l'essai des

technologies des véhicules (modification de diverses lois)

Bill 21 – The Conflict of Interest (Members and Ministers) and Related Amendments Act; Loi sur les conflits d'intérêts des députés et des ministres et modifications connexes

Bill 22 – The Credit Unions and Caisses Populaires Amendment Act; Loi modifiant la Loi sur les caisses populaires et les credit unions

Bill 23 – The Highway Traffic Amendment Act (Control of Traffic by Flag Persons); Loi modifiant le Code de la route (contrôle de la circulation par des signaleurs)

Bill 25 – The Municipal Statutes Amendment Act; Loi modifiant diverses lois en matière de droit municipal

Bill 26 – The Human Rights Code Amendment Act; Loi modifiant le Code des droits de la personne

Bill 27 – The Administrative Tribunal Jurisdiction Act; Loi sur la compétence des tribunaux administratifs

Bill 28 – The Water Resources Administration Amendment Act; Loi modifiant la Loi sur l'aménagement hydraulique

Bill 29 – The Reducing Red Tape and Improving Services Act, 2020; Loi de 2020 visant la réduction du fardeau administratif et l'amélioration des services

Bill 30 – The Consumer Protection Amendment Act; Loi modifiant la Loi sur la protection du consommateur

Bill 32 – The Election Financing Amendment and Elections Amendment Act (Government Advertising); Loi modifiant la Loi sur le financement des élections et la Loi électorale (publicité du gouvernement)

Bill 33 – The Advanced Education Administration Amendment Act; Loi modifiant la Loi sur l'administration de l'enseignement postsecondaire

Bill 34 – The University College of the North Amendment Act; Loi modifiant la Loi sur le Collège universitaire du Nord

Bill 36 – The Public Health Amendment Act (Food Safety and Other Amendments); Loi modifiant

la Loi sur la santé publique (salubrité des aliments et modifications connexes)

Bill 37 – The Planning Amendment and City of Winnipeg Charter Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire et la Charte de la ville de Winnipeg

Bill 38 – The Building and Electrical Permitting Improvement Act (Various Acts Amended and Permit Dispute Resolution Act Enacted); Loi améliorant la délivrance des permis de construction et d'électricité et la résolution des litiges connexes (modification de diverses dispositions législatives et édicton de la Loi sur la résolution des litiges en matière de permis)

Bill 41 – The Fair Registration Practices in Regulated Professions Amendment Act; Loi modifiant la Loi sur les pratiques d'inscription équitables dans les professions réglementées

Bill 45 – The Public Schools Amendment and Manitoba Teachers' Society Amendment Act; Loi modifiant la Loi sur les écoles publiques et la Loi sur l'Association des enseignants du Manitoba

Bill 46 – The Court Practice and Administration Act (Various Acts Amended); Loi sur la pratique et l'administration des tribunaux (modification de diverses dispositions législatives)

Bill 47 – The Early Learning and Child Care Act; Loi sur l'apprentissage et la garde des jeunes enfants

Bill 48 – The Fiscal Responsibility and Taxpayer Protection Amendment Act; Loi modifiant la Loi sur la responsabilité financière et la protection des contribuables

Bill 49 – The Freedom of Information and Protection of Privacy Amendment Act; Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée

Bill 51 – The Limitations Act; Loi sur les délais de prescription

Bill 52 – The Minor Amendments and Corrections Act, 2021; Loi corrective de 2021

Bill 53 – The Municipal Statutes Amendment Act (2); Loi no 2 modifiant diverses lois en matière de droit municipal

Bill 54 – The Personal Health Information Amendment Act; Loi modifiant la Loi sur les renseignements médicaux personnels

Bill 55 – The Reducing Red Tape and Improving Services Act, 2021; Loi de 2021 visant la réduction du fardeau administratif et l'amélioration des services

Bill 56 – The Smoking and Vapour Products Control Amendment Act; Loi modifiant la Loi sur la réglementation de l'usage du tabac et du cannabis et des produits servant à vapoter

Bill 58 – The Criminal Property Forfeiture Amendment Act; Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement

Bill 60 – The Liquor, Gaming and Cannabis Control Amendment Act (2); Loi no 2 modifiant la Loi sur la réglementation des alcools, des jeux et du cannabis

Bill 61 – The Apprenticeship and Certification Amendment Act; Loi modifiant la Loi sur l'apprentissage et la reconnaissance professionnelle

Bill 62 – The Animal Diseases Amendment Act; Loi modifiant la Loi sur les maladies des animaux

Bill 63 – The Petty Trespasses Amendment and Occupiers' Liability Amendment Act; Loi modifiant la Loi sur l'intrusion et la Loi sur la responsabilité des occupants

Bill 71 – The Education Property Tax Reduction Act (Property Tax and Insulation Assistance Act and Income Tax Act Amended); Loi sur la réduction de l'impôt foncier pour l'éducation (modification de la Loi sur l'aide en matière de taxes foncières et d'isolation thermique des résidences et de la Loi de l'impôt sur le revenu)

Bill 213 – The Reporting of Supports for Child Survivors of Sexual Assault Act (Trained Health Professionals and Evidence Collection Kits); Loi sur la présentation de rapports concernant les mesures de soutien destinées aux enfants survivants d'agression sexuelle (professionnels de la santé formés et trousseaux médicolégales)

Bill 223 – The Spirit Bear Day Act; Loi sur la Journée de l'ourson Spirit Bear

\* (22:40)

**Clerk (Ms. Patricia Chaychuk):** In Her Majesty's name, Her Honour assents to these bills.

*Her Honour was then pleased to retire.*

*God Save the Queen was played.*

*O Canada was played.*

\* \* \*

**Mr. Deputy Speaker:** Before we adjourn, I just want to wish everybody a good long weekend and hopefully we get a whole bunch of rain this weekend and then everybody gets a lot of rest and their—in the House and—but, at the same time, we need that rain for the forest fires and for the Manitoba crop farmers that really need it very badly.

But enjoy the weekend and stay safe. We have a lot of numbers out there, and this is a time that we have to be 'vigil'.

So, I just want to wish everybody a happy long weekend.

The hour being way past 5 o'clock, the House is adjourned and stands adjourned until Tuesday, May 25th, at 10 a.m.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 20, 2021

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Introduction of Bills</b>		Manitoba Hospitals Staffing and Capacity	
Bill 233–The Filipino Heritage Month Act		Wiebe	3342
Reyes	3331	Stefanson	3342
		Pallister	3342
<b>Tabling of Reports</b>		Government's Pandemic Response	
Goertzen	3331	Lindsey	3343
		Stefanson	3343
		Pallister	3343
<b>Ministerial Statements</b>		COVID-19 Pandemic Third Wave	
Wildfire Update		Lamont	3344
Guillemard	3331	Pallister	3344
Naylor	3332		
Lamont	3332	Manitoba Hospitals Staffing and Capacity	
Vyshyvanka Day		Lamoureux	3345
Cox	3333	Pallister	3345
Wasyliw	3333		
Lamoureux	3334	New Fisheries Investments	
		Nesbitt	3345
<b>Members' Statements</b>		Pedersen	3345
Selkirk Lift Bridge			
Lagimodiere	3334	<b>Petitions</b>	
Manitoba Building Trades New Institute		Lead Water Pipes	
Marcelino	3335	Maloway	3345
Mark Saler and His Dog Grizzly			
Nesbitt	3335		
Deaf Centre Manitoba			
Wasyliw	3335		
Words of Wisdom From Larry Wilmore			
Lamont	3336		
<b>Oral Questions</b>			
Manitoba Hospitals Staffing and Capacity			
Kinew	3336		
Pallister	3337		
Manitoba Hospitals ICU Capacity			
Asagwara	3339		
Stefanson	3339		
Manitoba Hospitals ICU Capacity			
Fontaine	3340		
Stefanson	3340		
Health-Care System			
Fontaine	3341		
Stefanson	3341		



Bill 63–The Petty Trespasses Amendment and Occupiers' Liability Amendment Act	
Friesen	3359
Fontaine	3359
Gerrard	3361

#### **Concurrence and Third Readings–Amended Bills**

Bill 33–The Advanced Education Administration Amendment Act	
Ewasko	3362
Moses	3363
Lamoureux	3365

#### **Concurrence and Third Readings** (Continued)

Bill 41–The Fair Registration Practices in Regulated Professions Amendment Act	
Eichler	3366
Moses	3367
Lamoureux	3368

Bill 45–The Public Schools Amendment and Manitoba Teachers' Society Amendment Act	
Cullen	3369
Altomare	3369
Lamoureux	3371

#### **Concurrence and Third Readings–Amended Bills** (Continued)

Bill 37–The Planning Amendment and City of Winnipeg Charter Amendment Act	
Johnson	3372
Wiebe	3372
Lamont	3374

#### **Concurrence and Third Readings** (Continued)

Bill 38–The Building and Electrical Permitting Improvement Act (Various Acts Amended and Permit Dispute Resolution Act Enacted)	
Johnson	3376
Wiebe	3377
Lamont	3378

Bill 46–The Court Practice and Administration Act (Various Acts Amended)	
Friesen	3378
Fontaine	3379
Gerrard	3380

#### **Concurrence and Third Readings–Amended Bills** (Continued)

Bill 51–The Limitations Act	
Friesen	3380
Fontaine	3381
Gerrard	3382

#### **Concurrence and Third Readings** (Continued)

Bill 58–The Criminal Property Forfeiture Amendment Act	
Friesen	3384
Fontaine	3385
Gerrard	3386

Bill 60–The Liquor, Gaming and Cannabis Control Amendment Act (2)	
Friesen	3387
Fontaine	3388
Gerrard	3389

Bill 61–The Apprenticeship and Certification Amendment Act	
Eichler	3390
Lindsey	3390
Lamoureux	3391

#### **Concurrence and Third Readings–Amended Bills** (Continued)

Bill 3–The Public Service Act	
Helwer	3392
Lindsey	3393
Lamoureux	3393

#### **Concurrence and Third Readings** (Continued)

Bill 8–The Pension Benefits Amendment Act	
Fielding	3394
Lindsey	3395
Lamont	3396

Bill 11–The Workplace Safety and Health Amendment Act	
Fielding	3397
Lindsey	3398
Lamoureux	3399

Bill 21–The Conflict of Interest (Members and Ministers) and Related Amendments Act	
Goertzen	3400

Bill 5–The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee)	
Friesen	3400

Bill 6–The Liquor, Gaming and Cannabis Control Amendment Act Friesen	3401
Bill 30–The Consumer Protection Amendment Act Fielding	3401
Bill 32–The Election Financing Amendment and Elections Amendment Act (Government Advertising) Goertzen	3401
Bill 17–The Drivers and Vehicles Amendment Act Schuler	3402
Bill 15–The Manitoba Public Insurance Corporation Amendment Act (Claim Dispute Tribunal) Wharton	3402
Bill 53–The Municipal Statutes Amendment Act (2) Johnson	3402
Bill 20–The Vehicle Technology Testing Act (Various Acts Amended) Schuler	3403
Bill 23–The Highway Traffic Amendment Act (Control of Traffic by Flag Persons) Schuler	3403
Bill 22–The Credit Unions and Caisses Populaires Amendment Act Fielding	3403
Bill 25–The Municipal Statutes Amendment Act Johnson	3403
Bill 34–The University College of the North Amendment Act Ewasko	3404
Bill 36–The Public Health Amendment Act (Food Safety and Other Amendments) Pedersen	3404
Bill 52–The Minor Amendments and Corrections Act, 2021 Goertzen	3404

### **Debate on Concurrence and Third Readings**

Bill 55–The Reducing Red Tape and Improving Services Act, 2021	
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### **Royal Assent**

Bill 3 – The Public Service Act	3405
Bill 5 – The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee)	3405
Bill 6 – The Liquor, Gaming and Cannabis Control Amendment Act	3405
Bill 8 – The Pension Benefits Amendment Act	3405
Bill 10 – The Regional Health Authorities Amendment Act (Health System Governance and Accountability)	3405
Bill 11 – The Workplace Safety and Health Amendment Act	3405
Bill 12 – The Crown Land Dispositions Act (Various Acts Amended)	3405
Bill 13 – The Public Sector Construction Projects (Tendering) Act	3405
Bill 15 – The Manitoba Public Insurance Corporation Amendment Act (Claim Dispute Tribunal)	3405
Bill 17 – The Drivers and Vehicles Amendment Act	3405
Bill 18 – The Workers Compensation Amendment Act	3405
Bill 20 – The Vehicle Technology Testing Act (Various Acts Amended)	3405
Bill 21 – The Conflict of Interest (Members and Ministers) and Related Amendments Act	3406
Bill 22 – The Credit Unions and Caisses Populaires Amendment Act	3406
Bill 23 – The Highway Traffic Amendment Act (Control of Traffic by Flag Persons)	3406
Bill 25 – The Municipal Statutes Amendment Act	3406
Bill 26 – The Human Rights Code Amendment Act	3406
Bill 27 – The Administrative Tribunal Jurisdiction Act	3406
Bill 28 – The Water Resources Administration Amendment Act	3406

Bill 29 – The Reducing Red Tape and Improving Services Act, 2020	3406	Bill 49 – The Freedom of Information and Protection of Privacy Amendment Act	3406
Bill 30 – The Consumer Protection Amendment Act	3406	Bill 51 – The Limitations Act	3406
Bill 32 – The Election Financing Amendment and Elections Amendment Act (Government Advertising)	3406	Bill 52 – The Minor Amendments and Corrections Act, 2021	3406
Bill 33 – The Advanced Education Administration Amendment Act	3406	Bill 53 – The Municipal Statutes Amendment Act (2)	3406
Bill 34 – The University College of the North Amendment Act	3406	Bill 54 – The Personal Health Information Amendment Act	3407
Bill 36 – The Public Health Amendment Act (Food Safety and Other Amendments)	3406	Bill 55 – The Reducing Red Tape and Improving Services Act, 2021	3407
Bill 37 – The Planning Amendment and City of Winnipeg Charter Amendment Act	3406	Bill 56 – The Smoking and Vapour Products Control Amendment Act	3407
Bill 38 – The Building and Electrical Permitting Improvement Act (Various Acts Amended and Permit Dispute Resolution Act Enacted)	3406	Bill 58 – The Criminal Property Forfeiture Amendment Act	3407
Bill 41 – The Fair Registration Practices in Regulated Professions Amendment Act	3406	Bill 60 – The Liquor, Gaming and Cannabis Control Amendment Act (2)	3407
Bill 45 – The Public Schools Amendment and Manitoba Teachers' Society Amendment Act	3406	Bill 61 – The Apprenticeship and Certification Amendment Act	3407
Bill 46 – The Court Practice and Administration Act (Various Acts Amended)	3406	Bill 62 – The Animal Diseases Amendment Act	3407
Bill 47 – The Early Learning and Child Care Act	3406	Bill 63 – The Petty Trespasses Amendment and Occupiers' Liability Amendment Act	3407
Bill 48 – The Fiscal Responsibility and Taxpayer Protection Amendment Act	3406	Bill 71 – The Education Property Tax Reduction Act (Property Tax and Insulation Assistance Act and Income Tax Act Amended)	3407
		Bill 213 – The Reporting of Supports for Child Survivors of Sexual Assault Act (Trained Health Professionals and Evidence Collection Kits)	3407
		Bill 223 – The Spirit Bear Day Act	3407

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**<http://www.manitoba.ca/legislature/hansard/hansard.html>**